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Consideration of reports submitted by States parties under Article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

Combined second, third, fourth and fifth periodic reports of States Parties

Mali*

* The present report is being issued without formal editing. For the initial report submitted by the Government of Mali, see CEDAW/C/5/Add.43, which was considered by the Committee at its seventh session.

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Republic of Mali **One People-One Goal-One Faith**

Mali

Second, third, fourth and fifth periodic reports on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women

Covering the period 1990 to 2002

Bamako, December 2003

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Acronyms and abbreviations

AFAS	Association of Women living with AIDS (Association des Femmes Atteintes par le Sida)
AFIMA	Malian Association of Women Engineers (Association des Femmes Ingénieurs du Mali)
AJM	Association of Women Jurists of Mali (Association des Juristes Maliennes)
AMAS	Malian Association to Support AIDS Sufferers (Association Malienne d'Aide aux Malades du Sida)
AMSOPT	Malian Association for Monitoring and Guidance in regard to Traditional Practices (Association Malienne pour le Suivi et l'Orientation des Pratiques Traditionnelles)
AN-RM	National Assembly of the Republic of Mali (Assemblée Nationale de la République du Mali)
APAF – Muso Dambé	Association for the Promotion of Family Assistance (Association pour la Promotion des Aides Familiales)
APCAM	Federation of Malian Farmers' Associations (Assemblée Permanente des Chambres d'Agriculture du Mali)
APDF	Association for the Advancement and Defence of Women's Rights (Association pour le Progrès et la Défense des Droits des Femmes)
ASACO	Community Health Association (Association de Santé Communautaire)
ASDAP	Association to support Population Activities (Association de Soutien pour le Développement des Activités de Population)
BCS	Central Pay Office (Bureau Central des Soldes)
BOAD	West African Development Bank (Banque Ouest Africaine de Développement)
CADEF	Children's and Women's Rights Action Committee (Comité d'Action pour les Droits de l'Enfant et de la Femme)
CAF	Women's Learning Centre (Centre d'Apprentissage Féminin)
CAFO	Coordinating Body for Women's Associations and NGOs in Mali (Coordination des Associations et ONG Féminines du Mali)
CCIM	Malian Chamber of Commerce and Industry (Chambre de Commerce et d'Industrie du Mali)
CCA-ONG	NGO Coordinating Committee (Comité de Coordination des Actions des ONG)
CED	Centre for Education in Support of Development (Centre d'Education pour le Développement)
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CESAC	Counselling, Support and Assistance Centre (Centre d'Écoute, de Soutien et d'Assistance Conseil)
CESAR	Neighbourhood Referral Health Centre (Centre de Santé d'Arrondissement de Référence)
CESC	Economic, Social and Cultural Council (Conseil Économique, Social et Culturel)
CFE	Centre on Business Procedures (Centre de Formalités des Entreprises)
CMDT	Malian Textile Development Company (Compagnie Malienne de Développement des Textiles)

CNAPN	National Action Committee on the Eradication of Practices Harmful to Women's and Children's Health (Comité National d'Action pour l'Éradication des Pratiques Néfastes à la santé de la Femme et de l'Enfant)
CNDIF	National Centre for Women's Documentation and Information Resources (Centre National de Documentation et d'Information sur la Femme)
CNR/ENF	National Centre for Non-formal Education Resources (Centre National des Ressources de l'Education non Formelle)
CNPA	National Council of Older Persons (Conseil National des Personnes Agées)
CTSP	National Transition Committee for the People's Well-being (Comité National de Transition pour le Salut du Peuple)
CSCOM	Community Health Centre (Centre de Santé Communautaire)
CSLP	Strategic Framework for Combating Poverty (Cadre Stratégique de Lutte contre la Pauvreté)
CSREF	Referral Health Centre (Centre de Santé de Référence)
CVECA	Self-managed Village Savings and Loan Society (Caisse Villageoise d'Epargne et de Crédit Autogérée)
DEFSAM	Development of Women Entrepreneurs in the Malian Agricultural and Food Sector (Développement de l'Entreprenariat Féminin dans le Secteur Agroalimentaire au Mali)
DCF	Women's Rights and Citizenship (Droits et Citoyenneté des Femmes)
DHS/MDHS	Malian Demographic and Health Survey (Enquête Démographique et de Santé du Mali)
DHS I	Malian Demographic and Health Survey, 1994 (Enquête Démographique et de Santé du Mali 1994)
DHS II	Malian Demographic and Health Survey, 1998 (Enquête Démographique et de Santé du Mali 1998)
DHS III	Malian Demographic and Health Survey, 2002 (Enquête Démographique et de Santé du Mali 2002)
DNAFLA	National Directorate for Functional Literacy and Applied Linguistics (Direction Nationale de l'Alphabétisation Fonctionnelle et de la Linguistique Appliquée)
DNFPP	National Directorate of the Civil Service and Personnel (Direction Nationale de la Fonction Publique et du Personnel)
DNPF	National Directorate for the Advancement of Women (Direction Nationale de la Promotion de la Femme)
DNPEF	National Directorate for the Advancement of Children and Families (Direction Nationale de la Promotion de l'Enfant et de la Famille)
DNSI	National Directorate of Statistics and Information Services (Direction Nationale de la Statistique et de l'Informatique)
FAAF Layidu	Women's Activities Support Fund (Fonds d'Appui aux Activités des Femmes)
FNAM	National Federation of Malian Crafts and Trades Workers (Fédération Nationale des Artisans du Mali)
FONDS GED	Gender and Development Fund (Fonds Genre et Développement)
GDP	Gross Domestic Product
GRM	Government of the Republic of Mali
GSER	Gross School Enrolment Ratio (Taux Brut de Scolarisation (TBS))

HCCT	Council of Regional Population Groups (Haut Conseil des Collectivités Territoriales)
HIV	Human ImmunoDeficiency Virus
IEC	Information, Education and Communication (Information, Éducation et Communication)
IFMST	Encouraging Girls to study Scientific and Technical Subjects (Incitation des Jeunes Filles vers les Matières Scientifiques et Techniques)
ILO	International Labour Organization
IMAARV	Malian Initiative to provide Access to Anti-retroviral Drugs (Initiative Malienne d'Accès aux Anti-Rétroviraux)
MATCL	Ministry of Regional and Local Government (Ministère de l'Administration Territoriale et des Collectivités Locales)
MDSSPA	Ministry of Social Development, Solidarity and the Elderly (Ministère du Développement Social, de la Solidarité et des Personnes Agées)
ME	Ministry of Education (Ministère de l'Éducation)
MEB	Ministry of Primary Education (Ministère de l'Éducation de Base)
MEF	Ministry of Economic Affairs and Finance (Ministère de l'Économie et des Finances)
MEN	Ministry of National Education (Ministère de l'Éducation Nationale)
MESSRS	Ministry of Secondary and Post-secondary Education, and Scientific Research (Ministère de l'Enseignement Secondaire, Supérieur et de la Recherche Scientifique)
MFAAC	Ministry of the Armed Forces and Veterans' Affairs (Ministère des Forces Armées et des Anciens Combattants)
MFPT	Ministry of the Civil Service and Labour (Ministère de la Fonction Publique et du Travail)
MINEDAF	Conference of Education and Finance Ministers (Conférence des Ministres de l'Éducation et des Finances)
MPFEF	Ministry for the Advancement of Women, Children and Families (Ministère de la Promotion de la Femme, de l'Enfant et de la Famille)
NGO	Non-Governmental Organization
NICTs	New Information and Communications Technologies
OMATHO	Malian Tourism and Accommodations Bureau (Office Malien du Tourisme et de l'Hôtellerie)
ORTM	Malian Broadcasting Authority (Office de Radio-Télévision du Mali)
PA	Work Programme (Programme d'Activités)
PASACOOP	Project to support Cooperative Structures (Projet d'Appui aux Structures de l'Action Coopérative)
PASAF	Project to support the Fight against Practices Harmful to Women's and Children's Health (Projet d'Appui à la lutte contre les Pratiques préjudiciables à la Santé de la Femme et de l'Enfant)
PASAOP	Programme to support the Farm System and Rural Organizations (Programme d'Appui au Système Agricole et aux Organisations Paysannes)
PGRN	Natural Resource Management Project (Projet de Gestion des Ressources Naturelles)
PISE	Education Sector Development and Investment Programme (Programme et Investissement du Secteur de l'Éducation)
PM-RM	Prime Minister of the Republic of Mali

PNAE	National Environmental Action Programme (Programme National d'Actions Environnementales)
PNLS	National Programme to combat AIDS (Programme National de Lutte contre le SIDA)
POP/FLE	Population and Family Life Education (Education à la Vie Familiale et en Matière de Population (EVF/EMP))
P-RM	President of the Republic of Mali
PRODEC	Decennial Education Programme (Programme Décennal de Développement de l'Éducation)
PRODEJ	Decennial Justice Programme (Programme Décennal de Développement de la Justice)
PRODESS	Decennial Social and Health Programme (Programme Décennal de Développement Socio-Sanitaire)
PTME	Programme to prevent Mother-to-Child Transmission (Programme de Prévention de la Transmission Mère-Enfant)
RBC	Community-Based Rehabilitation (Réadaptation à Base Communautaire)
REFAMP	African Women Ministers and Parliamentarians Network (Réseau des Femmes Africaines Ministres et Parlementaires)
RGPH	General Population and Housing Census (Recensement Général de la Population et de l'Habitat)
SECO-ONG	Malian NGO Coordination Secretariat (Secrétariat de Coordination des ONG du Mali)
SFD	Decentralized Financial System (Système Financier Décentralisé)
SG	General Secretariat (Secrétariat Général)
STD	Sexually Transmitted Disease
SYCREF	Women's Credit System (Système de Crédit destiné aux Femmes)
UDPM	Democratic Union of the Malian People (Union Démocratique du Peuple Malien)
WAEMU	West African Economic and Monetary Union (Union Économique et Monétaire Ouest Africaine (UEMOA))
UN	United Nations
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
USAID	United States Agency for International Development

Map of Mali

MALI
ALGERIE
(Algeria)
MAURITANIE
(Mauritania)
GAO
Gao
KOULIKORO
NIGER
Koulikoro
Bamako
BURKINA FASO
Sikasso
SIKASSO
GUINEE
(Guinea)
GHANA
TOGO
COTE D'IVOIRE
(Ivory Coast)

Foreword

Mali ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) pursuant to Order 85/13 issued by the President of the Republic of Mali on 10 September 1985. Following ratification and in accordance with article 18, Mali presented its initial report on the implementation of the Convention in 1986. That is the only report presented by Mali until now.

By this report, which covers the period from 1990 to 2002, Mali is presenting in a single document its second, third, fourth and fifth periodic reports on the implementation of the Convention.

This document has been prepared by means of a participatory process involving both government bodies and civil-society organizations, in accordance with the guidelines provided by the United Nations Division for the Advancement of Women.

PART I

Overview of Mali

1.1 Geography and administrative structure

Mali is a vast landlocked country in West Africa, covering an area of 1 241 238 square kilometres. It borders on Algeria to the north, Niger to the east, Burkina Faso to the south-east, Côte d'Ivoire to the south, Guinea to the south-west, Senegal to the west and Mauritania to the north-west.

The country is divided into eight administrative regions and one district, with 49 municipalities (cercles) comprising 703 communes (both urban and rural).

1.2 Demographic and socio-economic characteristics

According to estimates based on the findings of the latest General Population and Housing Census, conducted in 1998, Mali has 10 235 202 inhabitants and an average population density of 8.2 persons per square kilometre. The country's natural rate of demographic growth is 3.9 per cent. Mali has nearly two dozen ethnic groups. Over 90 per cent of its people are Muslims, with Christians, animists and other religious affiliations accounting for the rest. Women make up 51.2 per cent of the total population, and 32.7 per cent of the economically active population.

Mali's economy is based primarily on agriculture, livestock-raising, fishing, crafts and trades, and commerce. The country's GDP per capita is less than 300 United States dollars a year. The primary sector accounts for more than 44.6 per cent of GDP, while the secondary sector accounts for only 16.7 per cent and the tertiary sector for 38.7 per cent.

The vast majority of the country's people live in rural areas and work in the primary sector.

In 1994, 77 per cent of primary sector workers were women. Women accounted for 46 per cent of labourers in 1997 versus 47 per cent in 1980.

Over the past five years, the economic growth rate of 3.3 per cent has exceeded the rate of population growth between censuses, which was 2.2 per cent. Despite these encouraging results, most Malians live below the poverty line.

The situation of women gives even greater cause for concern, and this has led the government to develop and implement a national strategy to combat poverty during the period 1998 to 2002. According to the General Population and Housing Census conducted in 1998, life expectancy is 62.3 years for women versus 58.9 years for men. For women 15 to 49 years of age, the average age at first marriage is 16 years. Forty-two per cent of women live in polygamous relationships versus 27 per cent of men.

1.3 Political framework

Under the current Constitution, which came into force on 25 February 1992, the Republic of Mali is a State subject to the rule of law and is a pluralist democracy.

Since it acceded to independence on 22 September 1960, the country has seen three political regimes, as well as a transition period that followed the coup d'état of 26 March 1991.

1.3.1 1960 to 1968: During this period the country's first leaders established a de facto single-party system with a socialist regime run by the Sudanese Union of the Alliance for African Democracy (US□RDA). This regime was overthrown by a military coup d'état on 19 November 1968.

1.3.2 1968 to 1991: The military regime installed following the coup d'état suspended the Constitution and put a halt to all political activity during the period from 1968 to 1979, when a single constitutional party was established, the Democratic Union of the Malian People (UDPM). The UDPM, weakened by powerful protest movements, was overthrown on 26 March 1991 by a coup d'état.

1.3.3 1991 to 1992: The Transition Committee for the People's Well-being ran the country from March 1991 to 8 June 1992, when the democratically elected President took office.

1.3.4 June 1992 to 2002: The country developed a thoroughgoing multi-party system, with more than 85 political parties in existence today.

So far as women's participation in political life is concerned, they remain under-represented in decision-making bodies despite their ability to mobilize for action. This is particularly true in the Parliament, whose membership consists of 132 men and only 15 women.

PART II

Specific information in reference to the fundamental Articles of the Convention on the Elimination of All Forms of Discrimination against Women (Articles 1 to 16)

Article 1
Definition of discrimination against women

Article 2 of Mali's Constitution prohibits all discrimination on the basis of sex.

By ratifying the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Mali brought itself into full conformity with the definition of discrimination on the basis of sex as established in the Convention, inasmuch as article 116 of the Malian Constitution provides that "... treaties or agreements properly ratified or approved shall, from the moment they are published, have precedence over national legislation".

Article 2
Constitutional and legislative provisions and other measures adopted for the purpose of eliminating discrimination against women

(a) Article 2 of the Malian Constitution which entered into force on 25 February 1992 provides as follows: "Every Malian is born and remains free and equal in rights and duties. All discrimination on the basis of social origin, colour, language, race, sex, religion or political opinion shall be prohibited."

The Malian Constitution clearly ordains the principle of equality and non-discrimination in articles 1 to 21, thereby guaranteeing that men and women have the same rights and individual freedoms with respect to freedom of thought, freedom of conscience, freedom of religion, freedom of worship, freedom of opinion, freedom of expression, freedom of creation, freedom of movement, freedom of residence, freedom of association, freedom of assembly, freedom of procession and demonstration, freedom of artistic and cultural creation, property rights, freedom of enterprise, right to education, right to training, right to housing, right to recreation, right to health, right to social protection, right to work, right to rest, freedom to join a labour union and right to strike.

(b) The Malian Constitution prohibits discrimination of every kind (see article 2 above).

On the basis of this prohibition, law 01-079 of 20 August 2001 establishing the Penal Code contains a provision in article 58 which lays down a penalty consisting of imprisonment for a period of one to five years for any statement or act of such a kind as to create or give rise to racial or ethnic discrimination, any statement or act whose aim is to incite or perpetuate the spread of regional bias, ... any manifestation contrary to freedom of conscience or freedom of worship that might produce antagonisms between citizens ... ."

This provision of the Penal Code, however, does not cover discrimination on the basis of sex.

(c) There is legal protection for the rights of women on an equal basis with men through national tribunals, State agencies and other public institutions. Indeed, the Code of Civil, Commercial and Social Procedure, the Code of Penal Procedure, and proceedings before administrative bodies make no distinction between men and women.

Despite the fact that the Constitution prohibits discrimination on the basis of sex, the following must be recognized:

(d)

1. In certain ethnic groups, widows are subjected to humiliating and degrading practices. For example, a widow's head may be shaved or she may be stigmatized by her late husband's sisters for any wrongs she may have committed during her husband's lifetime.

2. In regard to inheritance, some ethnic groups regard the widow as part of a dead man's estate, with the result of that instead of inheriting her late husband's assets, she becomes one of them.

3. Women and children continue to be subjected to excision and other practices that may be harmful to their health.

(e) Access by women to certain levels of administrative and political responsibility is difficult.

(f) The following practices persist:

- the giving of a girl in marriage to a witch doctor for religious reasons (Allah mandi);

- "betrothal at birth", consisting of promising a newborn baby girl for marriage to a particular individual or into a particular family.

(g) There are no penal provisions that discriminate against women in Malian law. However, instances of domestic violence, in which it is typically the husband that is the perpetrator, are tolerated by society in some cases. As no provisions have been established to deal specifically with domestic violence, such offences are punished within the general framework of provisions covering wilful assault and injury, homicide, rape and so forth under the Penal Code.

Specific actions carried out by the State and by civil society in the areas covered by Article 2 of the Convention

Actions carried out by the State

The State's actions consist principally of legislative, regulatory and administrative measures, including the following:

- The establishment, in 2002, of the National Programme to eradicate the Practice of Excision;

- The adoption, in August 2001, of a new Penal Code that incorporates new offences relating to the protection of women, particularly war crimes, crimes against humanity and trafficking in children;

- The ratification, in September 2000, of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women;

- The adoption, in 1992, of a Commercial Code eliminating the requirement that a married woman have her husband's authorization in order to engage in a business activity;

- The signing of Order 92-024/CTSP of 12 May 1992 concerning the taxation of female employees' earnings, with a view to reducing the amount of tax a woman owes depending on how many children she has;

- The proposed Family Law Reform, which calls for the elimination from the Marriage and Guardianship Code of provisions that discriminate against women, including in matters of inheritance.

The impact of these various government measures has been twofold: women's specific needs have been taken into account, and women themselves have gained an awareness that it is necessary for them to become involved in finding solutions to their own problems in relation to discrimination.

There is a need to step up the work of raising awareness and educating and informing political decision-makers and the various segments of society in order to enlist increased support on everyone's part for maintaining a gender focus and systematically mainstreaming gender issues in the development, implementation and evaluation of programmes.

Actions carried out by civil society

Among the specific actions carried out by civil society, the following are worthy of particular note:

- The dissemination of information and raising of awareness regarding the rights of women;

- The educating of religious leaders, lawyers, political decision-makers, police officers and other security personnel, and health officials with regard to the CEDAW and the rights of women;

- The establishment of centres where destitute women can be provided with counselling and legal aid;

- The organization of seminars, workshops and conferences on the rights of women and the strengthening of women's economic role and participation in public life;

- Production of the following publications: the White Paper on the status of women in Mali (Livre blanc sur les femmes), published by the Association for the Advancement and Defence of Women's Rights (APDF) in 2000; the Legal Guide to Women's Rights (Guide juridique sur les droits de la femme), published by the Association of Women Jurists of Mali (AJM) in 2000; and the Family Assistance Guide (Guide sur les aides familiales), published by the Association for the Promotion of Family Assistance (APAF – Muso Dambé) in 2002.

These activities have increased awareness on the part of certain public bodies and authorities, as well as religious and community leaders, with regard to women's rights and the need for women's concerns to be taken into account in the country's economic, social and cultural development.

It must be noted, however, that these various activities aimed at educating, informing and raising awareness have not yet reached rural populations sufficiently.

Article 3
Development and advancement of women

Institutional framework

Under the Second Republic (1968 to 1991), the National Union of Malian Women (UNFM) was the organization officially recognized as having responsibility for the advancement of women. The UNFM was disbanded in 1991 following the coup d'état of 26 March.

Under the transitional regime, the Office of the Secretary of State responsible for Social Action and the Advancement of Women was established in 1992, reporting to the Ministry of Health and Social Action.

With the establishment of the Third Republic, the Office of the Commissioner for the Advancement of Women was established pursuant to Decree 93-119/PM-RM of 4 May 1993, reporting to the Prime Minister's Office.

The Office of the Commissioner for the Advancement of Women has consultative, coordinating and executing organs. (The coordinating organs consist of an interministerial committee, and a bipartite council with representatives from government and from NGOs and associations.)

In some ministries, a ministerial delegate has been appointed with responsibility for the mainstreaming of gender concerns in sector programmes and projects. In addition, there is in each region a coordinating office responsible for implementing the national strategy for the advancement of women.

After the Commissioner's Office adopted the Action Plan for the Advancement of Women (1996 to 2000), there appeared for the first time a ministry specifically concerned with the status of women, with the establishment on 16 September 1997 of the Ministry for the Advancement of Women, Children and Families (MPFEF).

The structure of the MPFEF comprises: the General Secretariat; the Minister's Office; central, regional and subregional services concerned with the advancement of women, children and families; the National Directorate for the Advancement of Women; and the National Directorate for the Advancement of Children and Families. The following also come under the MPFEF:

- The National Centre for Women's Documentation and Information Resources (CNDIF), established pursuant to Order 01-013-PRM of 26 February 2001. The Centre has three departments: the Documentation Department, the Status of Women Monitoring Department, and the Information, Education and Communications Department.

- Programmes and projects: the National Programme to eradicate the Practice of Excision, the Project to support the Advancement of Women and Alleviation of Poverty, the Project to promote the Status of Women and Gender Equity, the Project to develop Women Entrepreneurs in the Agricultural and Food Sector, the Project to support the Fight against Practices Harmful to Women's and Children's Health, and so on.

The MPFEF has assigned Gender and Development Advisers to ministerial departments and set up contact points within those departments, with responsibility for:

- Ensuring the mainstreaming of the gender approach in sector development programmes and projects;
- Breaking down data in their particular field of activity;
- Providing training in regard to the gender approach for managers in the corresponding ministerial departments;
- Seeing to it that the gender approach is systematically taken into account in developing projects.

The institutional framework put in place by the government is buttressed by the presence of strong women's groups in civil society, consisting of both women's labour organizations and women's social and professional organizations.

Thanks to the democracy and freedom of association made possible by the events that transpired in Mali in March 1991, a number of associations and NGOs concerned with the advancement and protection of human rights have come into existence.

There are today spread throughout the country more than 20 000 associations and 3 000 NGOs, involved in all sectors of development. To coordinate their work and ensure that their efforts are effective, these groups operate within a variety of umbrella organizations, among them the following:

- The Coordinating Body for Women's Associations and NGOs (CAFO) has a membership consisting of more than 750 women's associations and NGOs. These associations and NGOs work in various committees and coalitions depending on their field of activity, and their activities are coordinated by the CAFO.
- The Yiriba Suma Network, whose membership comprises 24 NGOs, works to develop its members' intervention capability. (Yiriba Suma is a Bambara term meaning "under the shade of the big tree".)
- The DCF joint action group is a network of eight Malian associations working in support of human rights in general, and women's rights in particular.

There are many other coordinating bodies, federations and umbrella organizations that are also working for the advancement of women, inter alia:

- The CCA-ONG, whose membership consists of 133 NGOs in Mali and abroad;
- The SECO-ONG, whose membership consists of about 100 Malian NGOs;
- The joint action group on health and population (Groupe Pivot Santé Population), which numbers more than 100 organizations;
- The Joint Action Group on Basic Education, which numbers more than 100 organizations;
- The Joint Action Group on Small and Medium-Sized Enterprises and Industries, which has over 20 members;

- The Joint Action Group on Social Development, whose membership consists of 65 associations and NGOs;
- The Joint Action Group on the Environment;
- The Federation of Malian Farmers' Associations (APCAM);
- The Malian Chamber of Commerce and Industry (CCIM);
- The National Federation of Malian Crafts and Trades Workers (FNAM).

The women's labour movement has also played a part in the advancement of women through the establishment in 1989 of the Working Women's Consultative Committee, which subsequently became the National Council of Working Women.

In addition to the various existing joint-action mechanisms involving the government and associations and NGOs (the bipartite council with representatives from government and from women's associations and NGOs, and the National Action Committee on the Eradication of Practices Harmful to Women's and Children's Health), the Ministry for the Advancement of Women, Children and Families has set up a steering committee to guide the process of family law reform.

There can be no question but that associations and NGOs have made a significant contribution in developing policies and programmes and carrying out activities on behalf of the advancement of women, children and families, both through their presence alongside other civil-society organizations and through their participation in coordinating and consultative mechanisms.

Although a fairly well developed institutional framework is in place, a number of shortcomings are evident:

- Full advantage has not been taken of the work done by the women's associations and NGOs.
- The work of the Department for the Advancement of Women is not visible in the sector departments.
- There is a lack of synergy amongst the activities carried out.
- In the associations and NGOs, there is a lack of professionalization.
- The associations have not mastered the concept of gender.

Policies and programmes

Action Plan, 1996 to 2000: This Action Plan was developed by the Office of the Commissioner for the Advancement of Women in cooperation with its technical partners, the women's associations and NGOs. The plan was approved by the Council of Ministers on 31 January 1996 as the reference framework for participation by all players working on behalf of the advancement of women. The Action Plan focused on six priority areas, namely:

- Education;
- Health;
- Women's rights;
- Participation in public life;

- Participation by women in economic development and environmental protection;
- Institution-building.

When the implementation of the Action Plan was evaluated, a number of achievements and shortcomings were identified which the MPFEF used to guide it in developing the Action Plan for the period 2002 to 2006 and devising the corresponding policies.

Action Plan, 2002 to 2006: This Action Plan focuses on the following strategic areas:

- Improving the ability of women and girls to make use of basic social services in the area of health, including reproductive health, and in matters of children's education, survival, early childhood learning and development;
- Strengthening women's individual and group capabilities in regard to organizing and mobilizing in the fight against poverty;
- Strengthening women's individual and group capabilities in regard to understanding their rights;
- Strengthening the legislative and social framework for the advancement of women's and girls' individual and civil rights;
- Strengthening women's capabilities in regard to the management of natural resources and protection of the environment;
- Strengthening the role of women within the WAEMU community;
- Strengthening women's capabilities in working on behalf of culture and peace, and particularly in the fight against the proliferation of small arms;
- Strengthening women's individual and group capabilities in regard to new information and communications technologies.

The work carried out under the Action Plan will consist essentially of activities aimed at improving the status and living conditions of women. To this end, the Action Plan has been developed around seven high-priority themes:

1. Fighting illiteracy among women;
2. Active participation by women in improving their reproductive health and in combating STDs and HIV/AIDS;
3. Strengthening women's education in regard to the legal system and citizenship;
4. Social protection;
5. Fighting poverty among women;
6. Women and environmental protection;
7. Women and subregional integration.

The Action Plan has been developed on the basis of the general lines of the Strategic Framework for Combating Poverty (CSLP), which is the sole reference framework for all the development activities carried on in Mali and establishes a

synergy with decennial sector programmes, inter alia: the Decennial Social and Health Programme (PRODESS), the Decennial Education Programme (PRODEC), the Decennial Justice Programme (PRODEJ), the National Environmental Action Programme (PNAE), the Programme to support the Farm System and Rural Organizations (PASAOP), and the National Rural Infrastructure Programme (PNIR).

Participation by women's associations and NGOs in developing and implementing policies and action plans concerned with the advancement of women

Since 1992, the associations have organized a workshop funded by UNDP to examine issues and problems relating to the advancement of women. One of the workshop's recommendations was the establishment of a department for the advancement of women. This led to the establishment of the Office of the Commissioner for the Advancement of Women reporting to the Prime Minister's Office, which was subsequently converted into the Ministry for the Advancement of Women, Children and Families.

The women's associations took part in developing the National Platform for Mali, together with the Office of the Commissioner for the Advancement of Women; in 1994, they participated alongside the government in the Fifth Regional African Women's Conference, held in Dakar; and in 1995, they participated in the Fourth World Conference on Women, held in Beijing.

Following the Beijing conference, the women's associations participated in developing and drafting the first Action Plan (1996 to 2000) for the implementation of the Beijing recommendations. The second Action Plan (2002 to 2006) was developed on the basis of a participatory analysis, carried out by means of local, regional and national workshops, in which resources and NGOs were fully involved at all levels from the grass roots up.

At the request of the NGOs, the government included "violence against women" as one of the Action Plan's priority areas.

Article 4
Affirmative-action measures and special measures that favour women

In the field of education

The government's special commitment to girls and women has led to the adoption of affirmative-action measures that favour girls, particularly in the establishment of specific measures, the revision of course curricula and the training of teachers. Thus, girls and boys study the same curriculum and write the same examinations under the same conditions.

Measures adopted in favour of girls

To help improve the situation of girls, a number of support measures have been implemented since 1990, in particular:

- The creation of the National Girls' Education Unit (Decision 882/SG-EB of 24 October 1992);

- The issuing of a departmental guideline concerning the enrolment of equal numbers of girls and boys in primary school;

- The introduction of home economics and family-life education in the primary school curriculum;

- The elimination of the prohibition on young girls attending school if they become pregnant (by reason of physical incapacity), pursuant to circular letter 00034 issued on 1 February 1993 by the National Director of Primary School Education;

- The repeal of Directive 1695, which governed general secondary school education from 1984 to 1993, and which prohibited girls who became pregnant from attending secondary school by reason of physical incapacity. Such girls are now placed on leave, and the year of pregnancy is not counted as part of the school attendance record;

- The issuing of Directive 95-25447/MFAAC-MESSRS-MEB of 25 November 1995, which allows girls to attend the military academy;

- The development and implementation of the level 1 and level 2 curricula as part of the Education Sector Development and Investment Programme (PISE). The most important aspect of this work was the taking into account of the specific concerns of boys and girls so as to do away with stereotypes;

- The giving of one bonus point to girls as part of the process of awarding study grants:

  The revision of Decree 00-307/P-RM of 14 July 2000, establishing regulations for the awarding of government study grants;

  Directive 2223/ME-MEF of 11 August 2000, establishing the criteria for the awarding of government study grants and rules regarding access to social assistance;

- The acceptance within secondary schools of girls who get married while they are enrolled in school;

- The giving of gender awareness training to teachers and to those who write school textbooks;

- The raising of gender awareness at all levels;

- The special repeal of streaming criteria for secondary school students in favour of 18-year-old girls who are repeating a year of study and have been assigned to a particular stream. This is the most recent measure instituted, and is the result of a political commitment by the Department of Education.

To encourage girls to pursue studies in scientific and technical subjects, the Malian Association of Women Engineers (AFIMA) organized a competition under the title "Encouraging Girls to study Scientific and Technical Subjects" (IFMST). This competition, for girls in Years 6, 7, 8 and 9, not only helped spark young girls' interest in scientific and technical subjects, but also helped to increase public awareness of the issue, particularly among parents and teachers.

In organizing the competition, the AFIMA received support from Cheick Modibo Diarra's Pathfinder Foundation and from the Ministry of Education. Among

the most noteworthy activities that may be cited were: a mathematics contest; a physics contest; and the organization of "excellence camps". As well, extra courses were organized for girls in rural schools, for girls in difficulty and for girls whose parents were impoverished.

All these activities helped to improve the school enrolment ratio among girls. Nevertheless, 46 per cent of school-age girls remain outside the education system.

Given this situation, particular emphasis will be placed on girls' and women's education in the Decennial Education Programme (PRODEC), which has established seven objectives in regard to girls' schooling:

- Increasing the gross school enrolment ratio (GSER) for girls, and reducing disparities between the sexes;
- Raising the GSER for girls from 34 per cent in 1996 to 70 per cent in 2008 and 90 per cent in 2010;
- Revising the course curriculum and textbooks used in primary school education in order to take the specific needs of girls better into account;
- Equipping schools with appropriate facilities (washrooms, playgrounds, etc.), to create an educational setting that will be more attractive to girls;
- Establishing rules and regulations that will improve girls' safety at school;
- Providing schools with specific funding for girls' schooling;
- Raising the general public's awareness, and enlisting their support for girls' schooling.

In the area of health

According to the provisions of Law 02-044 of 24 June 2002 concerning reproductive health, men and women enjoy equal rights and dignity in regard to reproductive health. The law establishes the principle that every individual may lead a sex life that is responsible, satisfying and risk-free. Partners in a conjugal relationship and individuals have the right to decide freely how many children they will have and the spacing between them according to their own best judgement, and to have access to the necessary information for that purpose.

Under the new law, abortion is permitted to protect the life of the mother. As well, if pregnancy could put the life of a married woman at risk, she is entitled to have access to an irreversible method of contraception by giving her own written consent to the procedure. The wilful transmission of HIV/AIDS is categorized as attempted murder.

In the area of employment

- Order 92-024/CTSP of 12 May 1992 concerning the taxation of female employees' earnings provides for the amount of tax a woman owes to be reduced depending on how many children she has.
- A woman's employment contract cannot be terminated by reason of absence when she is on maternity leave, and her pay cannot be reduced.

- For each living dependent child she has, a woman is credited with one additional year's service.
- If a woman with three living children resigns from her employment without being entitled to a pension, she is paid a 10 per cent bonus.
- Women have the right to specific safeguards in connection with certain kinds of work (night work, work in underground mines).
- For each child that is born to her, a woman's retirement age is reduced by one year.

In the social area

A sector policy is in place that provides for social protection and assistance for the destitute irrespective of sex.

Article 5
Role differentiation and stereotyping

Mali is a crossroads of civilization, with a cultural richness that consists of a multitude of ethnic groups. Malian society is essentially a patriarchal society in which culture, religion and the economy, among other things, are dominated by men. There is a clear differentiation of roles and tasks based on sex, depending on the ethnic or religious group.

For the most part, the tasks reserved for women are unpaid work even though they take up the whole of a woman's time and energy. Nearly 80 per cent of Malian women live in rural areas, and their situation is even more difficult in that they are responsible for a major share of food production.

Within the household, the man is the head of the family. He decides where the family will live and the wife is expected to follow (under the existing Marriage Code). A good wife is submissive, docile and faithful: she leaves her parents and her family to live with her husband, who is expected to support her. Her role as a wife and mother imposes certain obligations in running the household (preparing foodstuffs, getting meals ready, keeping house, etc.).

Most work is done manually, which is why lots of time and energy are needed. Because of the many tasks that must be performed – carrying water, collecting firewood, etc. – girls are expected to assume their share of household chores from a very early age.

The dowry system, in which a payment is made by the husband or his family, was originally established by society as a symbolic practice. It has evolved so that in some cases the dowry is seen as the price for "purchasing" a wife, with the result that the woman is made the servant of her husband or his relatives. In some cultures, when a woman dies, her place is taken by a younger sister, in a practice known as sororate marriage.

Malian women are also subjected to polygamy. Overall, 42 per cent of married women live in a polygamous marriage versus 27 per cent of men. Forty-five per cent of rural women live in a polygamous marriage versus 34 per cent of urban women. Forty-four per cent of illiterate women live in a polygamous marriage, compared with 39 per cent of women who have attended primary school and 26 per cent of

those who have attended secondary school. Thus, a woman's level of education plays a major role in determining her acceptance of polygamy (source: DHS III, 2002).

Customary practices in regard to inheritance work against women's interests. For example,

- Under Islam, a woman inherits from her parents one-half of what a man inherits.
- According to the culture of certain ethnic groups, a woman is regarded as a chattel, and therefore is considered to constitute part of the deceased's estate. If her husband dies, she and her children and her late husband's assets pass to his younger brother by the practice known as levirate marriage.

Traditional Malian societies are pronatalist because economic activity is based primarily on farming, and if the head of the family has children, he has more hands to work in the fields; thus, children give him social standing. A woman's value is tied to her role as a mother: her fertility is symbolized by the number of children she brings into the world.

All these practices have consequences for women's education, health, employment and economic status.

In the area of traditional education, early marriage and household chores contribute to a low rate of school enrolment for girls, and a perpetuation of stereotypes.

In the area of health, women's secondary status has a negative impact in several ways: poor health; frequent, closely spaced pregnancies beginning at an early age; lack of prenatal care; unattended childbirth; etc.

Women are also subjected to harmful practices such as excision, forced feeding, nutritional taboos and sexual abuse, as well as violence and abuse in other forms (psychological, physical, etc.). In some cases, these practices are tolerated by society.

In the area of employment, women's status has resulted in certain occupations coming to be regarded as female occupations, and in discrimination by the private sector in the recruitment process.

Women seldom manage to attain decision-making posts, and are not always well paid. In the civil service, women generally occupy the lower end of the pay scale.

Sometimes the prerogatives recognized as belonging to men are stumbling-blocks to a woman's pursuing her career, as, for example, article 34 of the Marriage Code, which establishes that it is up to the husband to decide where the family will live.

In the area of economic affairs and finance, women face difficulties in gaining access to the means and factors of production: land, credit, equipment, inputs, training, information, accommodations.

Women are faced with difficulties in engaging in viable, profitable economic activity, and are obliged to work in the informal sector instead.

To improve the social status of women, the government and its partners have undertaken a great many activities, inter alia:

- Providing training for managers in ministerial departments, officials of national institutions, members of Parliament, elected officials at the commune level, community leaders and so on, so that they will take gender considerations properly into account;
- Validating and disseminating the "Trainer's Guide on the Elimination of All Forms of Discrimination against Women", with a view to training a core group of trainers and making the Convention and its provisions widely known;
- Preparing a gender training guide;
- Organizing a discussion workshop in 2002 on the subject of strategies in regard to information, education and communication and a call for the improvement of the status of women and the instituting of gender equity;
- Training 35 communicators on the Convention on the Elimination of All Forms of Discrimination against Women;
- Preparing a strategy paper in regard to information, education and communication and a call for the improvement of the status of women and the instituting of gender equity;
- Preparing and distributing 600 gender guides;
- Distributing 1 000 brochures on the extent of women's access to the land;
- Producing 2 500 kits, 500 giant posters and 100 timetables concerning the CEDAW;
- Producing 500 post-literacy brochures on the rights of working women;
- Holding regional press conferences in regard to gender and population;
- Producing materials in regard to information, education and communication and a call for the improvement of the status of women and the instituting of gender equity (micro-programmes, sketches, folders, plays, documentary films);
- Producing television programmes on the advancement of women's rights;
- Providing training in gender approaches and intervention tools for members of UNESCO university clubs, the Journalists' Network for the Advancement of Human Rights, communications officers, and members of the National Conference of Young Jurists;
- Establishing and/or strengthening women's legal aid offices;
- Providing support, in the form of resources and financing, for women's associations and NGOs concerned with the defence of women's rights;
- Preparing maps showing gender disparities in the Tombouctou, Mopti and Kayes regions;
- Translating the CEDAW into 11 national languages;

- Preparing and distributing the "Guide on Women, Families and Islam", aimed at educating religious leaders regarding Islam's position on women's rights in the areas of reproductive health and gender equity;
- Gathering data on the image that men have of women in society, with a view to proposing a multimedia communications strategy aimed at changing attitudes, stereotypes and prejudices regarding women;
- Carrying out a study on women's contribution to the economic and social development of Mali;
- Disseminating information and raising awareness regarding gender issues and women's rights;
- Carrying out an analytical study on the legal status of women in Mali;
- Disseminating information to women concerning their rights (publication of the Legal Guide to Women's Rights);
- Providing training to project personnel and technical and financial partners concerning socio-economic gender analysis;
- Organizing women at the Nombori Museum to engage in activities that will generate revenue during the tourist season;
- Involving women in community museums by giving them space in the exhibit area;
- Assisting female potters and dyers at certain tourist sites by providing advice and financial support (Djenné, Dourou and Enndé).

In addition, although various recommendations have been adopted and several international agreements have been ratified stating that all human beings possess the same rights, disabled persons in general and disabled women in particular are prevented, in practice, from fully enjoying some of those rights owing to a variety of social, economic and cultural obstacles.

The number of disabled persons in Mali is estimated at 1 161 088, or something over 10 per cent of the population. Of these, 34 506 are women. These people live extremely difficult lives in the cities, where most of them resort to begging.

Disabled women, because of society's ignorance and the stigma placed upon them, are unable to enjoy certain rights such as:

- The right to sexuality;
- The right to marriage;
- The right to maternity;
- The right to education;
- The right to health education and medical care;
- The right to survival;
- The right to protection from violence and abuse;
- The right of access to justice.

Actions concerned with the protection of disabled women

In order to ensure that they can enjoy these rights, disabled persons in general and disabled women in particular have organized themselves into associations.

The function of these associations is to raise awareness and assert the rights of disabled persons, and through their ongoing actions they have been able to change negative public attitudes towards the disabled and persuade public authorities to take greater account of the concerns of the disabled in development strategies and policies.

Thanks to the struggle of disabled women, there is greater awareness of their rights on the part of public authorities, and this has led to the establishment of the National Decade of Disabled Persons, and the Month of Solidarity and Struggle against Exclusion.

Within this context, the government has carried out a number of activities through the Ministry Responsible for Solidarity, among them the following:

- Providing support to enable disabled women to organize themselves into associations;
- Funding activities that will generate income for disabled girls;
- Providing support for and taking care of disabled girls who have children;
- Providing assistance for disabled women who are destitute and unskilled.

Today, Mali's national policy on disabled persons centres on community-based rehabilitation (RBC), a participatory development strategy which forms part of the overall development framework to support rehabilitation, equality of opportunity and the social integration of all disabled persons. This strategy encompasses all aspects of rehabilitation, to wit, prevention, education, training, employment and income-generating projects. It will be global, multisectoral, decentralized and community-based, and will centre on mutual assistance and self-help.

Aspects of the struggle against stereotyping

In Mali, every person has his or her place in the community, regardless of age. However, social change – which has been happening at a very rapid pace in our country – dissolves the foundations of morals, traditions and habits. This development has serious repercussions on the role of the elderly, and particularly the role of older women and their continued participation in and contribution to the life of society.

In 2002, the number of people over 60 years of age was estimated at 600 271, or 5.27 per cent of the total population. This number broke down as 309 271 men (51.52 per cent of the total) and 291 000 women (48.48 per cent).

Two circular letters issued by the Prime Minister in 1993 and 1994 instructed those in charge of managing public and quasi-public services to take appropriate measures to improve service to the elderly and give them priority.

As part of the Month of Solidarity and Struggle against Exclusion, marked by the country every October, the first week is devoted entirely to the elderly. Clinics are organized to screen for cardiovascular, urinary, reproductive, oral and dental diseases. Medications are provided free of charge to elderly people who need them,

and treatment is also offered free of charge during this period. In 1995, the national budget allocated funding for the establishment of an Institute for Studies and Research in Gerontology and Geriatrics, known as the Maison des Aînés (or Eldercare Centre). Its mission is to develop and carry out research programmes on ageing, to provide public authorities and communities with information on ageing and raise their awareness in this regard, and to train staff in the field of gerontocracy and geriatrics.

Thanks to an extensive information campaign conducted among the general public and among the elderly themselves concerning the need for a special programme to assist the elderly and the timeliness of mounting such a programme, it has been possible to foster within the country a genuine sense of elder awareness and concern.

The membership of the Associations of Older Persons includes both men and women. These associations are organized into local and regional groups, and in 1996 they formed the Malian National Council of Older Persons (CNPA), which acts as a consultative body vis-à-vis the public authorities. It is through this structure that the CNPA obtained certain benefits for its members from the government and the private sector in the area of intercity transport.

With reference to the improvement of the status of women, it must be noted that Mali's policy of serving the needs of the elderly does not focus specifically on the needs of older women.

Article 6
Traffic in women and exploitation of prostitution of women

Mali is not free from these evils, but there are no reliable statistical data to indicate the exact number of procurers or women subject to such trafficking.

The various international instruments that Mali has ratified and the provisions of Mali's Penal Code establish a legal framework with which to combat trafficking in women and the exploitation of prostitution. The following are worthy of particular note in this connection:

1. The Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, of 2 December 1949 (accession by Mali in 1964);

2. The Supplementary Convention on the Abolition of Slavery, and the Slave Trade and Institutions and Practices Similar to Slavery, of 7 September 1956 (ratified by Mali in 1973);

3. The Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, of 17 June 1999, known as ILO Convention C182 (ratified by Mali in 2000);

4. The Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, of 25 May 2000 (ratified by Mali in 2002);

5. The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations

Convention against Transnational Organized Crime, of 14 December 2000 (ratified by Mali on 15 December 2000).

6. Article 229 of the Penal Code: This provision establishes penalties of six months' to three years' imprisonment and a fine of from 20 000 to 1 000 000 francs for anyone who has habitually encouraged, promoted or facilitated debauchery or corrupted young people of either sex, or has led or induced a girl or woman into debauchery, even with her consent, for the purpose of satisfying other people's pleasures, or has held a person in a house of debauchery against his or her will or has compelled a person to engage in prostitution. The same penalties apply to anyone convicted of living in whole or in part off the avails of prostitution.

Article 7
Women in political and public life

Mali has ratified a number of international conventions on human rights, in particular the International Covenant on Civil and Political Rights.

Mali's Constitution makes no distinction between men and women so far as their participation in political and public life is concerned.

Law 02-007 of 12 February 2002, establishing the Elections Act, provides as follows: "Malian citizens of both sexes who have attained the full age of 18 years may vote ...". It goes on to say: "Any citizen of the Republic of Mali, whether male or female, may be elected to office ...".

Law 91-075/P-CTSP of 10 October 1991, establishing the Party Charter, makes mention in its preamble of "the equal participation by citizens in political life by peaceful, democratic means, including the freedom to rally around political programmes within political organizations of their choice". The following table provides information on women's participation in decision-making posts at various levels.

Table 1
Women and levels of decision-making

Period	*Post/Organization*	*Women*	*Men*	*Total*
	Second Republic			
1990 (Third Parliament)	Member of Parliament	5	77	82
	Mayor	0	19	19
	Prime Minister	0	1	1
	Minister	1	21	22
	Office Director	0	22	22
	Office Head	1	20	21
	Governor	0	9	9
	Commander	0	46	46
1991-1992 (CTSP)	CTSP Executive Office	1	25	26
	Special Delegation	2	17	19
	Prime Minister	0	1	1
	Minister	3	15	18
	Office Director	0	18	18

Period	*Post/Organization*	*Women*	*Men*	*Total*
	Office Head	0	18	18
	Governor	1	8	9
	Commander	0	46	46
	Third Republic			
1992-1997 (First Parliament)	Member of Parliament	3	113	116
	Mayor of an urban commune	0	19	19
	Mayor of a rural commune	5	677	682
	Prime Minister	0	1	1
	Minister	6	16	22
	Cabinet Director/General Secretary	1	22	23
	Cabinet Head	2	18	20
	High Commissioner	0	9	9
	GRM Delegate	0	46	46
	Constitutional Court	2	7	9
	Member of the CESC	3	47	50
	Supreme Court			
	APCAM			
	CCIM			
	National Ombudsman	0	1	1
1997-2002 (Second Parliament)	Member of Parliament	18	129	147
	Mayor of an urban commune	0	19	19
	Mayor of a rural commune	5	677	682
	Commune Councillor	424	10 116	10 540
	Prime Minister	0	1	1
	Minister	4	16	20
	National Ombudsman	1	0	1
	General Secretary	0	20	20
	Office Head	2	18	20
	High Commissioner	0	9	9
	GRM delegate (municipalities)	0	49	49
	Constitutional Court	3	6	9
	Member of the CESC	3	44	47
	Member of the HCCT	6	63	69
	APCAM	1	30	31
	CCIM	13	227	240
Since June 2002 (Third Parliament)	Member of Parliament	15	132	147
	Mayor of an urban commune	0	19	19
	Mayor of a rural commune	5	677	682
	Commune Councillor	424	692	1 116
	Prime Minister	0	1	1
	Minister	4	20	24
	National Ombudsman	1	0	1
	General Secretary	0	28	28
	Office Head	4	20	24
	High Commissioner	0	9	9

Period	Post/Organization	Women	Men	Total
	Prefect	1	48	49
	Constitutional Court	3	6	9
	Member of the CESC	3	44	47
	Member of the HCCT	6	63	69
	APCAM	1	30	31
	CCIM	13	227	240

Sources: DNSI, Mali in figures, 1997-2001 (Le Mali en chiffres 1997-2001), CNDIF, Women in Public Life, 2002 (Base Femme / Vie Publique : 2002).

It is evident from the above table that women are present at nearly all levels of decision-making. Nevertheless, it must be noted that:

- No women have held the post of General Secretary in any of the ministerial departments or in the Prime Minister's Office.
- The proportion of decision-making posts held by women is very low (less than 10 per cent).
- No woman has served as mayor of an urban commune.

Article 8
Representation and participation at the international level

There is no specific policy in place aimed at helping women attain posts in international organizations.

Nevertheless, there are a few posts in international organizations that are held by Malian women: with UNFPA in Cameroon; with the AEC in Addis Ababa; with the International Criminal Court in The Hague; with WHO in Geneva; with the AU in Bangui; and with UNDP in the Democratic Republic of the Congo and in Burkina Faso. As well, women have been appointed as Malian ambassadors to Gabon, Japan and Germany.

Article 9
Women's rights in regard to nationality

Law 62-18/AN-RM of 3 February 1962, establishing the Citizenship Code, as amended by Law 95-070 of 25 August 1995, provides that men and women are equal in regard to retaining their nationality. A married woman has the option of acquiring her husband's nationality, but is not compelled to do so.

A man automatically transfers his nationality to his children. A woman, however, cannot do likewise except in certain cases specifically mentioned in the law (for example, if the father is stateless or has no known nationality).

Article 10
Education

Since its earliest days of independence, Mali has unequivocally supported universal education. This was made manifest in the Reform of 1962, which

established that the whole of the country's population was to have access to quality education, without any discrimination whatsoever.

Evidence of this political will remains visible today, and is reflected in legal instruments pertaining to education policy, in particular:

- Mali's Constitution of 25 February 1992, article 18 of which states: "Every citizen has the right to education. Public education is obligatory, free and secular";
- Law 99-046 of 28 December 1999, establishing the Education Policy Act, article 9 of which states: "The right to attend school shall be exercised without discrimination on the basis of sex, social or religion, race or religion";
- The resolutions and recommendations of the Jomtien Conference;
- The resolutions and recommendations of the various Conferences of Ministers of Education of African Member States (MINEDAF);
- The Pan African Conference on the Education of Girls, held in Ouagadougou in 1993;
- The Fourth World Conference on Women, held in Beijing in 1995;
- The Kampala Conference on the Empowerment of Women through the Functional Literacy of Women and the Education of the Girl-Child.

Equality of rights between boys and girls and between men and women

All children receive the same treatment in terms of career and vocational guidance, access to courses and the granting of diplomas in all types of learning facilities, in rural and urban areas alike. This equality is guaranteed at all levels of education. However, although such equality exists on paper, things may be different in practice.

1. Pre-school and special education

1.1 Pre-school education

Pre-school education falls under the responsibility of the Ministry of Education. Its purpose is to provide early schooling for children up to six years of age, to prepare them for primary school.

The pre-school enrolment ratio is very low: it has long stood at less than 2 per cent. However, the gap between boys and girls is not large. Traditional pre-schools are found mainly in urban areas, where they are growing in number thanks to the initiative of private promoters.

In 1997-98, the country had at least 196 pre-schools (of which 68 were in Bamako). Total enrolment was 23 548 pupils, nearly half of them girls, giving an enrolment ratio of 1.7 per cent.

In rural areas, the availability of pre-school education is negligible. Consequently, alternative child-minding facilities have been developed, created by local communities and adapted to rural conditions. The government trains the staff (kindergarten teachers) and covers the cost, and gradually transfers all costs to the local communities.

Child-minding facilities of this sort serve as a springboard to school enrolment, especially for little girls. When children have access to pre-school facilities, they insist that their parents enrol them in school when the time comes.

Table 2
Evolution of pre-school education

School year	*Numbers enrolled in pre-school*			*Pre-school enrolment ratio*		
	Boys	*Girls*	*Total*	*Boys*	*Girls*	*Total*
1995-96	8 954	8 211	17 165	1.3%	1.22%	**1.30%**
1997-98	11 910	11 638	23 548	1.80%	1.69%	**1.77%**

The growth in enrolment is attributable to the involvement of private promoters in the communities, who are attracted by the favourable terms and conditions established by the government and by the government's education policy. Girls' access to pre-school education appears to be improving in parallel with boys' access.

1.2 Special education

Special education is concerned with disabled children. There are at present 12 special-education institutions in the country. The number of disabled children enrolled in them rose from 463 in 1995-96 to 704 in 1997-98, an increase of 11.7 per cent.

In 2002, there were 2 600 disabled children, representing a growth rate of 27 per cent over the period from 1998 to 2002. It is noteworthy that two-thirds of the children taken into care are boys: this seems to be a deliberate choice on the part of parents, who are more concerned with the future of their sons than that of their daughters. Women make up the majority of the institutions' personnel: of the 675 teachers on staff in 1998, 497 (73.6 per cent) were women.

2. Primary-school education

In 1960, when Mali attained independence, only 7 per cent of Malians had been to school. Progress has been made, and figures for recent years show substantial improvement: the gross school enrolment ratio has risen from 26.0 per cent in 1988-89 to 28.8 per cent in 1991-92, to 42.3 per cent in 1995-96, to 46.7 per cent in 1996-97, to 54.20 per cent in 1999-2000, to 64 per cent in 2001-02.

These figures conceal large disparities between boys and girls, between urban and rural areas, and between regions.

The enrolment ratio for girls has risen from 19.1 per cent in 1988-89 to 31.4 per cent in 1994-95, to 33.4 per cent in 1995-96, to 36.5 per cent in 1996-97, to 44.5 per cent in 1999-2000. The corresponding figures for boys are 33.1 per cent, 46.9 per cent, 51.3 per cent and 64.19 per cent.

In spite of the progress that has been made, there is still a considerable gap between boys and girls.

Regional disparities are also significant. While the gross rate recorded in the capital, Bamako, was 131.0 per cent in 1999-2000, the figures in Mopti and Kidal were 22.8 per cent and 19.2 per cent respectively. The average in rural areas was 14

per cent.

Indicators of the efficiency of the education system continue to give cause for concern. Between 1994-95 and 1995-96, in primary school, the rate of repeating the year was 20.3 per cent while the drop-out rate was 3.6 per cent.

In primary school, in 1994-95, the drop-out rates were 6.1 per cent for girls compared with 5.3 per cent for boys. The corresponding rates fell in 1995-96 to 4.3 per cent for girls compared with 3.2 per cent for boys.

In middle school, in 1994-95, the drop-out rates were 3.2 per cent for girls compared with 7.5 per cent for boys. In 1995-96, the drop-out rate for girls rose to 9.6 per cent, while for boys it fell slightly to 6.4 per cent.

Table 3
Evolution of the gross school enrolment ratio (GSER) in Mali

School year	*Boys*	*Girls*	*GSER*
1988-89	33.1%	19.1%	26.0%
1990-91	34.0%	19.5%	26.7%
1992-93	40.8%	24.7%	32.8%
1994-94	46.9%	31.3%	39.1%
1995-96	51.3%	33.4%	42.3%
1996-97	57.0%	36.5%	46.7%
1999-2000	64.19%	44.5%	54.2%
2000-01	72.4%	49.9%	61.0%
2001-02	75.3%	53.6%	64.0%

Source: Planning and Statistics Unit (CPS), Ministry of National Education.

3. Other levels of education

Other levels of education are marked by an imbalance between boys and girls, and between men and women, including among those enrolled in teacher training programmes and among teaching staff. In each case, males predominate; and the higher the level in the education system, the larger the gap between males and females (see tables).

Table 4
Evolution of the gross school enrolment ratio (GSER), by sex and by level of education

Level of education	*Sex*	*1994-1995*	*1997-1998*	*1999-2000*	*2000-2001*
Primary school	Girls	31.30%	40.30%	44.50%	50.00%
	Boys	46.90%	59.90%	64.19%	72.50%
Middle school	Girls	9.30%	12.30%	16.11%	17.61%
	Boys	18.00%	23.40%	28.33%	31.24%
General secondary school	Girls	2.60%	3.90%	4.96%	3.64%
	Boys	4.80%	8.90%	11.13%	14.00%

Level of education	*Sex*	*1994-1995*	*1997-1998*	*1999-2000*	*2000-2001*
Technical and vocational	Girls	1.50%	1.60%	2.78%	2.99%
secondary school	Boys	3.70%	3.20%	4.88%	5.19%
Post-secondary education	Girls	0.50%	0.80%	1.04%	*Not*
	Boys	2.60%	3.40%	4.13%	*available*

Source: Planning and Statistics Unit (CPS), Ministry of National Education, 2003.

The above table illustrates the imbalance between boys and girls at all levels of education. From primary school to post-secondary education, the number of girls enrolled gradually declines until it becomes almost negligible.

Beyond the participation rate, the success rate for girls is also lower than it is for boys, and girls are more likely to drop out. Similarly, a relatively small proportion of teachers are women, and the proportion declines at higher levels. About 20 per cent of teachers are women at the primary school level, but only about 8 per cent are women at the level of technical and vocational secondary education and only about 5 per cent are women at the post-secondary level.

National policy on the education of girls

Although women and girls account for over half the country's population, they are inadequately represented at all levels in the education system and have not properly benefited from the investments made in education.

This situation – involving a combination of low school-enrolment ratios for girls, illiteracy among women and a lack of technical and vocational training for women – gives cause for concern in both economic and social terms and has become a focus for government action.

The education of girls and training of women have now come to be seen as a requirement – and indeed, an obligation – if the sustainable socio-economic development of Mali is to be assured. Accordingly, this area has been given a central place as one of the government's highest-priority concerns. With this objective in mind, a number of strategic actions have been devised aimed not only at improving school enrolment ratios but also reducing drop-out rates and facilitating the empowerment and effective participation of Malian women on behalf of the country's development. The adoption of the national policy on the education of girls forms part of this effort.

The National Girls' Education Unit was set up in 1992 as the government office responsible for handling this issue. In order to ensure that as many girls as possible complete a minimum level of schooling, the Unit developed the national policy on the education of girls, aimed at strengthening primary school enrolment rates and assuring equity between the sexes.

To implement the policy, an action plan has been drawn up based on an analysis of the problems associated with the education of girls. This has made it possible:

- To identify specific actions targeted to communities, to encourage parents to enrol more girls in school;

- To identify specific actions to reduce drop-out and repeat rates;

- To identify the physical and financial resources needed in order to carry out the aforesaid action plans;

- To draw up a timetable for carrying out the aforesaid action plans.

In order to bolster the National Action Plan on the Survival, Development and Protection of Children and to implement the recommendations of the Pan African Conference on the Education of Girls held in Ouagadougou in 1993, the action plan was expanded during the course of the First National Seminar on the Education of Girls. It encompassed specific regional needs and was adopted by political and administrative decision-makers, social partners, technical and financial partners, and operating partners.

The objectives of the action plan are as follows:

- To reduce or eliminate socio-cultural obstacles by means of actions aimed at overcoming the hostility of parents towards school;

- To reduce or eliminate socio-economic obstacles, with a view to lessening the economic difficulties that keep parents from covering the cost of their children's education (opportunity costs, direct costs) – in this case, their daughters' education;

- To lessen the excessive burden of tasks for which mothers are responsible, and thereby to reduce the volume of household chores given to their daughters;

- To encourage community participation in the life of the school;

- To reduce or eliminate institutional obstacles in order to make the National Girls' Education Unit functional, and to make the education of girls a priority.

(a) Access to the same curricula, the same examinations and staff having qualifications of the same standard

Girls and boys have access to the same curricula, the same examinations, the same teachers, and the same school premises and equipment.

(b) Stereotyping in textbooks

Until 1995, school textbooks typically depicted women in the role of wife, mother and homemaker. This perpetuated the idea of the family and society being structured on the basis of stereotyped roles in which women's scope of action was confined to the family while only men were depicted as being creative, being economic players, and exercising power in society.

The government, with the support of its technical and financial partners, has produced supplementary textbooks in which women are shown as being active in all walks of life: in administration, in politics, in science and technology, and so on. An example of this is the supplementary French textbook for Years 5 and 6 (Ministry of National Education, UNESCO Mali Project, 2000).

Studies are currently under way to examine the issue of stereotyping in textbooks in greater depth. The findings of these studies will help guide the actions of the Department of Education. To cite an example, one paper that has been produced in this area is "School and society: A gender analysis of textbooks used in primary education" ("École et société : analyse genre des manuels scolaires en usage

au niveau du premier cycle de l'enseignement fondamental"), by Hamidou Napare, Mamou Lamine Haidara and Koumakoro Bagayoko.

The curriculum review being conducted as part of the Decennial Education Programme (PRODEC) will make it possible for Malian women and girls to be more equitably represented. The curriculum places emphasis on life skills and population and family life education (POP/FLE). One key area that is covered is health education, which includes reproductive health issues.

(c) Access to study grants

Since 2000, the conditions governing the awarding of study grants have been somewhat more favourable for girls. Under the terms of Directive 2223/ME-MEF of 11 August 2000, which establishes the criteria for the awarding of government study grants and rules regarding access to social assistance, girls are given one bonus point towards qualifying for university scholarships.

(d) Continuing education

Women's literacy

Illiteracy is a scourge of socio-economic development, and Mali has made enormous efforts to combat it. Many programmes have been developed for adults who never had the chance to go to school.

Despite these efforts, women account for only 11 per cent of the people who attend courses offered by literacy centres. Among the reasons why they do not participate fully in literacy activities are the excessive burden of the chores that fill their day, their husbands' reluctance to allow them to attend, socio-cultural restrictions and extreme poverty. In 1993-94, 95 per cent of women in rural areas and 80 per cent of women in urban areas were illiterate.

Table 5
Statistical data on literacy in Mali, 1991-92

	Instructors			*Students*			*Newly literate*		
Year	*M*	*F*	*%F*	*M*	*F*	*%F*	*M*	*F*	*%F*
1991-92	8 715	592	6.30	74 650	14 270	16	44 043	7 420	14.42

Source: National Centre for Non-formal Education Resources (CNR/ENF).

Table 6
Statistical data on literacy in Mali, 2000 and 2001

	Number	*Instructors*			*Students*			*Newly literate*		
Campaign	*of CAFs*	*M*	*F*	*T*	*M*	*F*	*T*	*M*	*F*	*T*
2000	9 314	15 252	3 171	18 443	105 032	54 567	159 599	54 524	15 176	69 739
2001	9 760	16 015	3 330	19 345	110 264	54 250	167 514	57 250	15 935	73 185
			17%			32%				21%

Source: National Centre for Non-formal Education Resources (CNR/ENF).

The data in Tables 5 and 6 show a very low rate of participation by women in literacy programmes. Nevertheless, it is evident that there was significant progress made during the interval between the periods covered by the two tables, as the proportion of instructors who were women increased from 6.30 per cent in 1991-92 to 17 per cent in 2001, and the proportion of newly literate graduates who were women increased from 14.42 per cent to 21 per cent.

Thanks to the literacy campaigns mounted by, inter alia, the DNAFLA's Division for the Advancement of Women (from 1976 to 2000), rural development operations and their various partners, and the Women's Unit (since 2000) of the National Centre for Non-formal Education Resources (CNR/ENF), the number of newly literate women has continued to grow. These women have been noteworthy for their accomplishments in the cooperative movement, the production and processing of consumer goods, and their success in managing both their own affairs and public affairs. Their participation in the 2002 elections and their success in winning elective office have in large measure been made possible because they have become literate.

With reference to women's literacy, PRODEC has set the target of increasing women's participation rate in literacy programmes to 50 per cent by 2008, and to make 56 per cent of the population literate.

(e) Educational alternatives for girls who have never attended school or have dropped out

The Centre for Education in Support of Development (CED) is a promising educational alternative which gives children nine to 15 years of age who have either never attended school or have dropped out an opportunity to receive formal instruction and training. The numbers of girls and boys taking part are kept rigorously equal. The programme includes preparatory vocational training as well as theoretical courses, and gives participants the opportunity to acquire skills and know-how that will enable them to take part in the country's economic life.

The CED offers a six-year programme comprising four years of theoretical courses and two years of apprenticeship. Classes are taught in the national language, although oral French is introduced in the second year.

(f) Girls and boys have the same opportunities to participate actively in sports and physical education.

(g) The curriculum review being conducted as part of PRODEC will make it possible for girls to be taught classes specifically concerned with population and family life education (POP/FLE).

Article 11
Employment, right to work, social security, choice of occupation

1. Elimination of discrimination in general

(a) The right to work as an inalienable right of all human beings

Article 19 of Mali's 1992 constitution provides as follows: "The right to work and to rest is recognized and equal for all."

Law 92-020 of 23 September 1992, establishing the Labour Code, defines a worker in article L-1, and in so doing makes no distinction between men and women.

From this it can be seen that the laws of the Republic of Mali do not contain any provision that discriminates between men and women in regard to their inalienable right to work.

(b) Application of the same criteria for selection in matters of employment

In 1968, Mali ratified Convention 111 of the International Labour Organization aimed at eliminating discrimination in the area of employment and occupation.

Law 02-053 of 16 December 2002, establishing the General Civil Service Statute, does not set out any selection criterion based on sex. At present, the civil service is largely male (78.8 per cent men, compared with 21.2 per cent women).

Table 7
Make-up of the civil service by category and sex, 2002

	Men		*Women*		*Total*	
Category	*Number*	*Percentage*	*Number*	*Percentage*	*Number*	*Percentage*
A	7 355	20.2	806	8.3	**8 161**	**17.7**
B2	13 928	38.3	4 084	41.8	**18 012**	**39.1**
B1	2 732	7.5	1 399	14.3	**4 131**	**9.0**
C	3 540	9.7	1 895	19.4	**5 435**	**11.8**
Other staff	8 788	24.2	1 584	16.2	**10 372**	**22.5**
Total	**36 343**	**100**	**9 768**	**100**	**46 111**	**100**

Source: Ministry of the Civil Service and Labour (MFPT).

It is clear from the above the table that there are more women at lower levels of the civil service. This can be explained by several factors, particularly the fact that girls receive less schooling than boys, women's lack of qualifications and prejudices against women holding certain jobs.

Although certain paramilitary occupations have been opened to women during the past five years, notably the National Police, there are still no women in the National Gendarmerie.

Equality of opportunity as laid down in the law is still being applied only hesitantly.

So far as access to business occupations and liberal professions is concerned, there is no distinction made at the legal level between men and women. The 1992 revision of Commercial Code eliminated the requirement that a husband must give authorization for his wife to work as a vendor.

(c) The right to receive vocational training and retraining

Occupational training is an ongoing activity within the civil service. It is also offered to women's groups by non-governmental organizations, particularly in rural areas. Within the public administration, all civil servants have the right to receive training without discrimination on the basis of sex.

Overall, the proportion of civil servants receiving occupational training is very small: in 2002, only 1.5 per cent of civil servants took a training course. Of this tiny number, a greater proportion of men received training during the year than women (2 per cent of male civil servants, compared with only 1 per cent of female civil servants). Given that training is a key factor in career advancement, men have greater opportunity to move up to higher posts, particularly category A posts. On the face of it, the fact that the proportion of female civil servants taking training courses is so small is attributable more to the country's socio-cultural traditions than to rules and regulations governing the civil service.

Table 8
Civil servants receiving training, by category and by sex, 2002

	Men			*Women*			*Total*		
Category	*Number*	*Trained*	*%*	*Number*	*Trained*	*%*	*Number*	*Trained*	*%*
A	7 355	97	1.3	806	10	1.2	8 161	107	1.3
B2	13 928	275	2	4 084	48	1.2	18 012	323	1.8
B1	2 732	58	2	1 399	18	1	4 131	76	1.8
C and D	3 540	25	1	1 895	6	0	5 435	31	0.6
Total	**27 555**	**455**	**2**	**8 184**	**82**	**1**	**35 739**	**537**	**1.5**

Source: National Directorate of the Civil Service and Personnel (DNFPP).

(d) The right to equal remuneration

Law 92-020 of 23 September 1992, establishing the Labour Code, provides in article L-95 that all workers – given the same working conditions, the same occupational qualifications and the same output – will receive equal pay regardless of their origin, sex, age or status. Mali ratified ILO Convention 100 on equality of remuneration in 1964.

In 2002, a study commissioned by the public service on equality of remuneration between men and women in Mali's modern sector reached the conclusion that, within the public service, the maximum pay gap between men and women in any given category was 11 per cent, and that on average women earned 30 per cent less than men overall.

Table 9
Average annual remuneration, by category and by sex

	Men		*Women*		*All staff*	
Category	*Gross salary*	*Net salary*	*Gross salary*	*Net salary*	*Gross salary*	*Net salary*
A	172 723	210 583	176 482	212 773	173 099	210 802
B2	96 795	107 915	95 219	103 238	96 486	106 999
B1	81 733	107 690	82 421	98 643	81 920	105 234
C	79 222	88 772	82 885	91 301	80 579	89 709
D	39 404	54 492	39 195	56 162	39 307	55 262
Contractual staff	52 144	107 622	42 902	90 728	50 409	104 450
Total (average monthly salary)	**104 154**	**130 071**	**91 085**	**108 824**	**101 430**	**125 643**

Source: Central Pay Office (BCS).

As Table 9 above shows, there is a pay gap in the civil service, with men receiving higher pay than women. The average monthly net salary of male civil servants is 130 071 CFA francs, as compared with 108 824 CFA francs for female civil servants, making for a gap of approximately 20 per cent. The overall gap in average salary seems to be the result principally of a rigid salary hierarchy from category to category and the under-representation of women in category A (with 20 per cent of male civil servants holding posts in category A, but only 8 per cent of female civil servants).

(e) The right to social security, and the right to retirement, unemployment, sickness, invalidity and old-age benefits

Law 99-041 of 12 August 1999, establishing the Social Insurance Code, entitles women, whether they are salaried employees or are married to a salaried employee, to receive various benefits some of which are intended specifically for pregnant women.

In addition to the family allowance, women receive health insurance, occupational health and accident benefits, and pension benefits.

Law 99-047/AN-RM of 28 December 1999, establishing the voluntary insurance scheme, and Directive 79-7 of 18 January 1979, establishing the pension plan, give the same rights to women as to men.

Under the pension plans, a female civil servant is credited with a bonus of one year's service for each living dependent child she has. From the time she has three living children, she is also entitled to immediate reimbursement of salaried deductions plus a 10 per cent bonus.

In addition, prenatal allowances are provided under the Social Insurance Code to ensure that a pregnant woman has access to proper medical care during her pregnancy and that her health is maintained at optimum levels. Maternity benefits are provided to ensure that proper medical care is given to the mother during childbirth and to the baby during its early months of life. To encourage rest before and after childbirth, women who are salaried employees receive a daily allowance during their period of maternity leave.

The law governing the voluntary insurance scheme establishes the option for civil servants and members of the liberal professions, crafts and trades workers, merchants and all other independent workers to take out insurance at their own discretion. This insurance covers family benefits, sickness benefits, old-age security, disability benefits and survivors' allowances.

In addition to these protections under the law, a woman who is a salaried employee is entitled to a four-month grieving period upon the death of her husband.

There is a legal lacuna so far as unemployment benefits are concerned, as there are more unemployed women than men.

(f) The right to protection of health and safety in working conditions, including the safeguarding of the function of reproduction

Articles L-178 to L-188 of the Labour Code provide for improved protection of women and children in so far as their safety while performing certain dangerous work is concerned.

Article L-178 provides that when a woman learns that she is pregnant, she has the right to terminate her employment contract, giving her employer 24 hours' advance notice. If she decides to remain in her job, she has the right to 14 weeks of maternity leave, during which time she has the right to receive free medical care and to be paid at the same rate of pay she was receiving at the moment her employment contract was suspended.

Women and children are prohibited from working at night in the industrial sector.

Still in regard to the right to protection of health and safety in working conditions, including the safeguarding of the function of reproduction, the country's legislative and regulatory framework has been strengthened in recent years by means of the following instruments:

- Law 85-41/AN-RM of 22 June 1985, authorizing the carrying on of certain occupations in the health field;
- Law 044 of 24 June 2002, concerning reproductive health;
- Ministerial Directive 94-5092/MSSPA-MATS, establishing the operating and administrative procedures for first-tier and referral health centres.

2. Prevention of discrimination on the grounds of marriage, maternity or marital status

(a) Prohibition of dismissal on the grounds of pregnancy, maternity or marital status

Article L-183, paragraph 3, of the Labour Code prohibits employers from terminating an employment contract during the entire time it is suspended by reason of maternity leave. Article L-326, paragraph 2, establishes fines for failure to comply with that provision in the amount of 20 000 to 50 000 francs, or 50 000 to 200 000 francs in the case of a repeat offence.

(b) Maternity leave and related provisions

Article L-179 of the Labour Code establishes that a pregnant woman is entitled to 14 weeks of maternity leave. Article L-182 adds that, during any period of maternity leave, a woman is entitled to receive free medical care and to be paid at the same rate of pay she was receiving at the moment her employment contract was suspended, and is also entitled to continue receiving any benefits in kind that she may have been receiving prior to that moment.

(c) Provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities

Article L-124 of the Labour Code establishes that a woman has the right to rest times at her workplace for the purpose of breastfeeding her child, for a period of 15 months following the child's birth. Added together, these rest times may not exceed one hour per workday. The fact that a woman is not working during these rest times may not be used as grounds for a reduction in pay. During this period, a mother may terminate her employment contract, and if she does so she is required to give her employer only 24 hours' advance notice and is not required to pay any compensation for the short notice.

Child-care facilities are not a social need at present, because of the family structure in which family members (grandparents, aunts, sisters, etc.) are collectively responsible for the care and upbringing of children. However, article D.189-11, paragraph 5, of the Labour Code stipulates that, subject to a request being submitted to the labour inspector, a special room must be set aside for mothers to breastfeed their children in or near any establishment where more than 25 women are employed.

So far as combining family obligations with work responsibilities is concerned, only diplomatic personnel enjoy the right of "proximity of spouses' places of residence". For the staff of other government departments and agencies, however, arrangements can be made in some cases by means of a simple administrative procedure so that spouses working at two different locations in the Interior of the country can be assigned to the same duty station.

(d) Special protection for pregnant women

Article L-185 of the Labour Code prohibits the employing of pregnant women or children to perform jobs that are beyond their physical capacity, or that are dangerous, or that, owing to their nature or the conditions under which they are performed, may be injurious to their moral standards.

Decree 96-178/P-RM of 16 June 1996, implementing the Labour Code, sets out the working conditions for pregnant women in article D.185, and lists the jobs that pregnant women are prohibited from doing in Table A of the annex.

Article 12
Health and family planning

1. The fight against discrimination in the area of health care and in access to medical services, including family planning

Under article 17 of the Constitution, every citizen's right to health is recognized. Mali has signed a number of different international declarations, charters and conventions relating to health matters, particularly agreements on primary health care (PHC), the Bamako Initiative, and the African Health Development Strategy.

Mali's health policy is founded on the principle set forth in article 17 which makes health a right of every Malian citizen. Article 2 of Law 02-049 of 22 July 2002 concerning the Health Guidelines Act provides as follows: "The nation's health policy is based on the fundamental principles of equity, justice, solidarity and participation by the people and by civil society, and takes into account international commitments undertaken by the Republic of Mali."

The primary health care policy adopted by Mali in 1979 aimed at meeting the people's basic needs by providing as many health facilities as possible in local communities, so as to permit access to health care without discrimination on the basis of sex.

This concern is clearly reflected in the health and population sector policy adopted in 1991, the basic aims of which are as follows:

- To assure the ongoing improvement of family welfare and the situation of the general population, and particularly of women and children;

- To extend health coverage by making health services accessible to the general population, and particularly women and children;
- To ensure that the system works well and produces a high standard of results;
- To promote healthy attitudes and behaviours that will have a favourable impact on family welfare.

Nevertheless, the health situation in the country continues to be characterized by:

- Stubbornly high rates of mother and child morbidity and mortality;
- A predominance of infectious, parasitic and nutritional diseases, particularly among women and children;
- Inadequate health care system coverage;
- Under-utilization and severe under-equipping of health services;
- A dire lack of medications and health supplies, and staff who are too few in number, inadequately trained and motivated, and inefficiently deployed.

2. Provision of appropriate services to women during pregnancy, confinement and the post-natal period

Law 02-049 of 22 July 2002 concerning the Health Guidelines Act provides for the establishment of the following kinds of health facilities:

- Public hospitals;
- Referral health centres;
- Private health clinics, comprising both for-profit clinics and not-for-profit clinics.

The aim in setting up these different kinds of health facilities is to provide for the treatment of sick or injured people and of pregnant women.

The fertility rate in Mali is 6.7 children per woman. Women are subjected to frequent, closely spaced pregnancies, a situation that negatively affects their health and that of their children.

Prenatal consultation

Although community health centres (CESCOMs) have been set up in order to bring health care services closer to the target population, the rate of consultations has fallen short of the standard, although it has certainly increased (see Table 12 in regard to prenatal care).

Post-natal consultation

This is an under-developed area, for new mothers do not appreciate the importance of post-natal care despite the information campaigns and IEC sessions conducted in all the health regions. In DHS III, it was found that 84 per cent of women did not make a post-natal visit of any kind. A post-natal assessment was done within two days after giving birth in only 10 per cent of cases, within three to six days after giving birth in 1 per cent of cases, and within seven to 41 days after giving birth in 2 per cent of cases.

Family planning

Thanks to efforts by the government and its technical and financial partners, it has been possible to carry out the following activities:

Setting up family planning units in all first-tier and second-tier health facilities;

- Conducting an awareness campaign using the communications media;
- Arranging for contraceptive products to be handled within the overall distribution system for essential medications, thereby ensuring that they are widely available;
- Implementing a national community-based programme to distribute contraceptives;
- Securing the participation of several NGOs and associations working in the field.

Despite the efforts have been made, contraceptives are not yet widely used. According to DHS III, only 8 per cent of married women use any method of contraception at all.

Women use extended periods of abstinence, and especially resort to traditional methods and beliefs such as shamanism or tafo.

Abortion

Article 211 of the Penal Code prohibits all abortions except those performed for therapeutic reasons as listed in article 13 of Law 02-044 of 22 June 2000 concerning reproductive health, namely

- When abortion is necessary to protect the life of the mother;
- When the pregnancy is determined to be the result of rape or incest.

No reliable statistical data on abortion are available, but it is evident that the practice continues to be used to terminate unwanted pregnancies.

HIV/AIDS

The most recent demographic and health survey (DHS III) found an HIV/AIDS infection rate of 1.7 per cent of the general population (1.3 per cent of men and 2 per cent of women). The survey also found that young people are the segment of the population most susceptible to infection, either because they do not believe that AIDS exists (one person in three) or because they engage in unprotected sex. Women are more at risk for AIDS owing to certain socio-cultural and socio-economic factors, in particular levirate marriage, illiteracy and extreme poverty.

Harmful practices

Mali regards the following 16 practices as harmful to the health of women and children:

- Excision;
- Scarification;
- Filing of teeth;

- Cionectomy;
- Tattooing;
- Bloodletting;
- The use of aphrodisiacs by women;
- Depigmentation;
- Forced marriage and/or marriage at a very young age;
- Levirate and sororate marriages;
- Nutritional taboos;
- Forced feeding;
- Starvation diet prior to marriage;
- The killing of babies that are orphans or are born outside marriage;
- Practices that humiliate women during difficult deliveries;
- Physical violence against women.

In fighting these harmful practices, special emphasis has been placed on excision. It contributes significantly to increasing mother and child mortality and morbidity rates, it is a prime cause of difficulties in childbirth, and it often produces irreversible disabilities (vesico-vaginal fistulas).

Excision is a very old practice and, according to DHS III, 94 per cent of Malian girls and women undergo it. The average age at which excision is performed has fallen from 6.3 years to 4.3 years.

Actions carried out by the government, its technical and financial partners, and civil society

The work that has been accomplished has had a beneficial impact on the situation of women, particularly in the area of health care as the following indicators demonstrate:

- From 1995 to 2002, the proportion of the population living within 5 kilometres of a health centre (either a CSCOM or a CESAR) increased from 13.1 per cent to 44 per cent;
- The rate of prenatal consultation rose from 47 per cent to 68 per cent;
- The rate of attended deliveries has reached 40 per cent;
- The maternal mortality rate nevertheless remains very high (from 700 per 100 000 live births in 1987, it fell to 577 in 1996 and then increased slightly to 582 in 2001);
- The mortality rate for infants and young children is also very high.

With regard to HIV/AIDS, a number of strategies have been implemented:

- Establishing the National Programme to combat AIDS, which sets out the policy and major lines of strategy for the fight against AIDS;

- Maintaining a systematic focus on controlling STDs in all health care facilities;

- Controlling opportunistic infections in referral health centres and in hospitals;

- Launching the Malian Initiative to provide Access to Anti-retroviral Drugs (IMAARV), so that the largest possible number of infected people will have access to anti-retroviral drug treatment;

- Setting up the Counselling, Support and Assistance Centre (CESAC) to follow up on and look after people infected with the AIDS virus;

- Establishing several voluntary HIV screening centres;

- Organizing associations of persons living with AIDS (AFAS and AMAS) so that these people can pass on information about their own experiences and thereby raise awareness among their peers;

- Having the government designate December as HIV/AIDS month;

- Establishing the Programme to prevent Mother-to-Child Transmission of the AIDS virus (PTME), which focuses primarily on pregnant women, encouraging them to undergo screening during pregnancy and to take appropriate measures to prevent the transmission of the virus from mother to child during pregnancy, delivery and their sequelae;

- Having support from a number of NGOs and associations working in the field.

With regard to excision, the following are the main actions that have been carried out:

- Establishing the National Action Committee on the Eradication of Practices Harmful to Women's and Children's Health (CNAEPN), pursuant to Decree 99-157/PM-RM of 16 June 1999;

- Issuing Order 02-053/P-RM of 4 June 2002, establishing the National Programme to eradicate the Practice of Excision;

- Having circular letter 0019 of January 1999 issued by the Minister of Health, Solidarity and the Elderly, addressed to health personnel, to prohibit excisions from being carried out at health facilities;

- Training personnel in the harmful effects of excision and how to deal with its complications;

- Enlisting the support of several NGOs and associations in working towards the elimination of the practice;

- Having strategies implemented by different players (government agencies and civil society), particularly in the areas of:

- Raising awareness on the part of the general public;

- Retraining the women who perform excisions;

- Mounting advocacy campaigns vis-à-vis senior political and administrative officials, opinion leaders and influential individuals.

Looking ahead

A central focus of the first sector investment programme covering the period from 1998 to 2003, called the Health and Social Development Programme (PRODESS), is reproductive health, with special emphasis placed on reducing mother and child morbidity and mortality by:

- Improving the monitoring of pregnancy, delivery and their sequelae;
- Ensuring that essential medications are available at all levels in the health system;
- Offering quality services in the area of family planning;
- Ensuring that obstetric emergencies are properly dealt with, by setting up a referral and evacuation system with costs shared between the pregnant woman's family, the referral health centre (CSREF) and the community health association (ASACO);
- Extending health system coverage.

Article 13
Elimination of discrimination in economic, social and cultural life

Poverty touches nearly two out of every three Malians today (63.8 per cent of the total population). Nearly one of every three Malians lives in extreme poverty. The depth of poverty depends on where people live (whether in urban or rural areas), what work people do (whether in the primary, secondary or tertiary sector), how old they are, and whether they are male or female. Indeed, 88 per cent of the poor population live in rural areas, and far more women live in poverty than men. The incidence of poverty is 75.9 per cent in rural areas, as compared with 30.1 per cent in urban areas. Moreover, twice as much social-sector spending is needed in rural areas (where 45.8 per cent of the population live in extreme poverty) to raise poor local communities to the same level as urban areas (where 22.3 per cent of the population live in extreme poverty).

Faced with this situation, the government, through the Strategic Framework for Combating Poverty (CSLP), has set itself the objective of reducing people's poverty overall, and reducing poverty among women in particular. Among other things, this involves:

- Strengthening women's economic role in the areas of agriculture, livestock raising, fishing, crafts and trades industries and the informal sector;
- Facilitating women's access to credit, land and equipment, particularly in the case of women living in rural areas or near cities.

(a) The right to family benefits

(See article 11, item 1 (e).)

(b) Women's right to bank loans, mortgages and other forms of financial credit

Because women have weak purchasing power and are unable to provide the loan guarantees required by banks, they have limited access to credit. Nevertheless, government programmes make it plain that a genuine political will exists to improve

women's access to credit and to other income-generating activities. One of the objectives of the policy on the advancement of women, children and families is "to support economic development objectives by reducing poverty among women, strengthening women's economic role and facilitating their access to credit".

Decentralized financial system (SFD): In Mali, microfinance emerged in the mid-1980s in response to the development of the informal sector, in which most women worked, and the inability of traditional financial structures to meet the specific financing needs of those engaged in that sector, especially women.

Law 94-40 of 15 August 1994 defines the legal framework for SFD entities to ensure that they better meet women's needs by enabling them to have access to credit for such purposes as the following:

1. Funds for agricultural equipment and inputs;
2. Funds for trading activities;
3. Short- and medium-term repayable loans (savings and loan facilities).

Today there are several hundred savings and loan associations to which women can turn for financing. They operate in different ways such as mutual savings and loan networks, self-managed village savings and loan societies (CVECAs), and group loan schemes. SFD entities cover the entire country, with interest rates of 15 to 25 per cent in the case of mutual savings and loan networks and 30 to 40 per cent for group loan schemes.

Table 10
Situation of the microfinance sector, 1998 to 2001

	Number of members/customers			
	Men	*Women*	*Legal persons*	*Total*
Mutual savings and loan networks	136 109	67 875	11 573	**215 557**
Self-managed village savings and loan societies (CVECAs)	52 700	30 118	2 416	**85 234**
Group loan schemes	968	44 334	-	**45 302**
Total – 1999	189 777	142 327	13 989	**346 093**
Total – 1998	152 928	137 016	10 765	**300 709**
Change from 1998 to 1999	+ 36 849	+ 5 311	+ 3 224	**+45 384**

	Number of members/customers			
	Men	*Women*	*Legal persons*	*Total*
Mutual savings and loan networks	157 863	83 076	12 766	-
Self-managed village savings and loan societies (CVECAs)	63 966	33 868	2 553	-
Group loan schemes	3 541	48 118	-	**51 659**
Total – 2000	225 370	165 062	15 319	**405 751**
Total – 1999	189 777	142 327	13 989	**346 093**
Change from 1999 to 2000	+ 35 593	+ 22 705	+ 1 330	**+ 59 628**

		Number of members/customers			
	Number of branches	*Men*	*Women*	*Legal persons*	*Total*
Mutual savings and loan networks	389	187 050	96 610	11 241	294 901
Self-managed village savings and loan societies (CVECAs)	252	70 605	35 274	2 945	108 824
Group loan schemes	33	4 445	42 472	*Not available*	46 917
Total – 2001	674	262 100	174 356	14 186	450 642
Total – 2000	575	225 370	165 062	15 319	405 751
Change from 2000 to 2001	+ 99	+ 36 730	+ 9 294	- 1 133	+ 44 891
Percentage change	+ 17.22%	+ 16.30%	+ 5.63%	- 7.40%	+ 11.06%

As Table 10 shows, savings and loan associations have seen a steady increase in the number of female customers they serve.

Of all the various SFD entities, the government's efforts through the Women's Activities Support Fund (FAAF Layidu) and the Women's Credit System (SYCREF) are especially noteworthy.

FAAF Layidu was set up by the Government of Mali for the dual purpose of mitigating the negative impact of the devaluation of the CFA franc on women and enabling women to obtain easy access to credit.

From the time it was established in 1995 up to the end of 2000, FAAF Layidu granted loans totalling 2 012 471 000 CFA francs to 4 963 women's associations and groups carrying on economic activities in the informal sector, encompassing 41 553 people, 18.64 per cent of whom were rural women.

SYCREF, which was set up in September 1999 under the Project to support the Advancement of Women and the Alleviation of Poverty, has focused on 126 villages in five different regions (Kayes, Koulikoro, Sikasso, Mopti and Gao). Its goal is to finance activities that generate income for women.

As at 31 December 2002, 8 597 rural women had received SYCREF loans totalling 250 million CFA francs.

SYCREF has not only provided assistance for rural women. It has also established a loan fund in the amount of 10 million CFA francs to help women and girls graduating from the Aoua Kéita Women's Vocational Training Centre gain acce to credit so as to be able to set themselves up in business.

Tontines

Alongside the SFD entities, a system of group revolving funds known as tontines has come into being. Not only do the tontines make it possible for women to obtain financing for certain economic activities, but they also serve as a source of mutual assistance and communitarian support.

Tontines offer a way to get around the difficulty of obtaining a bank loan, and make it possible for women to obtain funds that they can use for certain purchasing and spending needs.

A study of Mali's industrial sector conducted by Jean-Claude Kessous in 1991 found that at least 50 per cent of the economically active population in the city of

Bamako belonged to a tontine, and that tontines took in more than 10 billion CFA francs a year.

Tontines typically have a shaky and ephemeral existence. For that reason they cannot be regarded as offering a real solution to women's particular financing needs.

(c) Women and enterprises

Over 70 per cent of women in Bamako district participate in the informal sector of the economy. In rural areas, one would expect the figure to be much higher.

Few enterprises in the formal economy are run by women.

Women's enterprises in the formal economy

In the industrial sector: Of the 217 industrial enterprises identified in the 2000 industrial census, only two had been founded by women.

A study of the business environment in Mali was conducted in April 2003 under the auspices of the IBI and USAID, focusing in particular on enterprises founded by women. It found that, out of 334 projects authorized under the Investment Code during the previous three years, only 23 (or fewer than 10 per cent) had been initiated by women. The following table sets out the study's findings.

Table 11
Projects authorized under Mali's Investment Code

	Number of projects authorized (1)	*Projects initiated by women*	
		Number (2)	*Percentage (2) : (1)*
2000	122	7	6 per cent
2001	119	12	10 per cent
2002	93	4	4 per cent
Totals	334	23	7 per cent

In the commercial sector: While there may be very few women in the industrial sector, women are present in strong numbers in the commercial sector, particularly in small enterprises. Statistics compiled by the Centre on Business Procedures (CFE), established in late 1996, show that from November 1996 to December 2002 the Centre recorded 5 520 new enterprises, giving an average of 74 new enterprises per month or 900 new enterprises per year. Of the 5 520 new enterprises recorded, 618 were founded by women, or 11.20 per cent.

Unfortunately, the study underscored the difficulty of obtaining detailed information on enterprises run by women. It is estimated that, of the 618 women-run enterprises, 80 per cent were engaged in general trading, while the remaining 20 per cent were small service firms engaged in building, cleaning, seamstering, hairdressing, and so forth.

In the crafts and trades sector: Women are engaged in all areas of the crafts and trades sector except heavy construction and metalwork. In a survey of the sector conducted by the National Crafts and Trades Federation in 2001, it was found that, all told, there were 19 016 crafts and trades workers in the country, and that 34 per cent of them were women.

A National Centre to promote Crafts and Trades has been set up under the auspices of the National Federation of Malian Crafts and Trades Workers (FNAM), and to date it has trained more than 2 000 apprentices and 500 foremen. The number of women who have taken such training is negligible.

In an effort to take women's needs into account, a gender approach has been adopted within the FNAM, and it now has an office for the advancement of women as part of its organizational structure.

A project to develop the crafts and trades sector is under way, financed by the West African Development Bank (BOAD) and the Government of Mali, which focuses on a target group of 4 890 women throughout the country. Associations and NGOs play a very important role in implementing strategies to develop this sector.

In the tourism sector: In 1995, with a view to developing the country's tourism sector, the government established the Malian Tourism and Accommodations Bureau (OMATHO). Although women occupy an important place within this organization, their participation in the tourism sector overall is very limited. A number of projects and programmes currently under way seek to increase women's involvement in the sector. As part of the partnership that the government has established with associations and NGOs, OMATHO is planning campaigns to increase women's awareness and encourage them to become more involved in the tourism sector.

For its part, the Ministry for the Advancement of Women, Children and Families operates the Aoua Kéita Women's Vocational Training Centre. Among the training courses the Centre offers young women and girls are courses in occupations that serve the hotel industry.

In the mining sector: Mining for gold requires a certain level of technology that women do not possess, and they have received very little support in this area. Consequently, women's participation in the mining sector is limited to small-scale, low-technology work.

With a view to reducing gender disparities, the Ministry of Mines, Energy and Water Resources has initiated a technical-assistance programme for gold washing.

In the liberal professions: Women are more strongly present in health-care occupations (nearly 30 per cent) and less so in legal occupations such as lawyers, notaries, bailiffs and auctioneers (6.37 per cent).

Out of a total of 43 women working in the field of private school education, 35 run primary schools.

In the services sector: The hotel industry, a business that requires large investments, employs nearly 200 professionals and fewer than 10 of them are women. Many women run telephone stalls, little business centres (offering telephone, typing and photocopying services), and cafés and food kiosks.

In the food production and preparation sector: A study was conducted in 1998 on the impact of government measures to promote the development of enterprises run by women in the agricultural and food sector, under the DEFSAM Project. It found that enterprises run by women that engaged in the production and preparation of food – which were relatively new and operated primarily in the informal economy – accounted for a negligible proportion of the country's overall food production and preparation industry, which was dominated by bakeries. About 40 food production

and preparation enterprises run by women were identified in the whole of Mali, 30 of them in Bamako district. Typically, they possessed the following characteristics:

- They were run by a woman who had little schooling, and who was in some cases illiterate.
- They had fewer than 10 employees.
- They had low revenues.
- The operator was unaware of any laws or regulations that might apply to the business.

Women's enterprises in the informal economy

The informal sector encompasses self-employed women who carry on their activities outside the country's framework of laws and regulations. Most economically active Malian women work in this sector. A survey carried out by USAID in Bamako district estimated that 70 per cent of women worked in the informal sector.

The following factors have been identified as constraints affecting women entrepreneurs:

- Illiteracy, and inadequate training and skills;
- Limited access to land and property;
- Lack of access to means of production;
- Lack of access to credit;
- Lack of information about procedures for setting up enterprises and financing them.

Outlook

The experience gained with projects and programmes to promote small and medium-sized enterprises and industries in Mali shows that women entrepreneurs are disadvantaged in comparison with men partly because they are the victims of prejudice and partly because they are mostly working in the informal sector.

Actions to remedy the situation will therefore have to focus on two areas: strengthening women's participation in mainstream economic activity, and supporting the informal sector. This will help to ensure that the support provided to women is more effective and produces lasting results.

From past surveys and experiences, it is evident that the following actions are needed in order to accomplish this:

- A gender approach must be introduced in programmes to promote small and medium-sized enterprises;
- Special emphasis must be placed on providing support in the areas of financing, training and information;
- An effort must be made to ensure that assistance is more easily accessible, by streamlining procedures, by making conditions less onerous and especially by stressing direct contact with beneficiaries;

- Women's organizations must be strengthened by building up their institutional capacity and involving them more deeply in developing and implementing assistance programmes;
- The administration of assistance efforts must be strengthened by improving monitoring, evaluation and coordination functions.

Article 14
Situation of women in rural areas

Women play a key socio-economic role in rural areas of the country, with 75 per cent of women being engaged in agriculture. They work at different farm chores, either individually or alongside others in their age group.

(a) Participation in the elaboration and implementation of development plans

Even though women account for more than 70 per cent of the effort contributed towards achieving food security, their role as producers receives scant recognition and is rarely taken into account when needs for assistance are being identified. Consequently, little or no attention is paid to their role in the elaboration of development plans.

(b) Access to health services

The specific issues having to do with women's health in rural areas centre primarily on access to care, training, information, education and communications.

The data compiled in DHS III make it clear that hospital facilities are not a convenient, nearby source of health care for women. Even in the cities, only one woman in four lives within four kilometres of a hospital. In rural areas, fewer than 3 per cent of women live within five kilometres of a hospital, which illustrates how few health facilities there are in rural Mali.

The following tables provide further information on the health status of rural Malian women.

Table 12
Prenatal care

	Percentages of births for which the mothers did not seek medical consultation during pregnancy, as identified in the DHS II and DHS III surveys	
Place of residence	*DHS II (1995-96)*	*DHS III (2000-01)*
Bamako	10.4	5.8
Other cities	24	17.9
All urban areas	18.5	12.1
Rural areas	62.3	52.1

Comparing the figures for DHS III against those for DHS II reveals an improvement in the monitoring of pregnancies in both rural and urban areas between the times the two surveys were carried out.

Table 13
Home births

Place of residence	*Percentages of home births*	
	DHS II (1995-96)	*DHS III (2000-01)*
Bamako	10.8	7.7
Other cities	28.8	29.4
All urban areas	21.6	19.3
Rural areas	76.8	73.3

Home births were more frequent in rural areas than in urban areas. The lack of health care facilities in rural areas may account for this.

Table 14
Births attended by a nurse

Place of residence	*Percentage distribution of births attended by a nurse or midfwife, as identified in the DHS II and DHS III surveys, on the basis of certain socio-demographic characteristics*	
	DHS II (1995-96)	*DHS III)2000-01)*
Bamako	84.9	88.5
Other cities	57.2	72.3
All urban areas	68.3	79.8
Rural areas	7.5	27

Table 14 shows that the proportion of births attended by a nurse or midwife is greater in urban areas than in rural areas. This indicates an inadequate allocation of human resources, which is detrimental to women living in rural areas.

Table 15
Births attended by a physician

Place of residence	*Percentage distribution of births attended by a physician, as identified in the DHS II and DHS III surveys, on the basis of certain socio-demographic characteristics*	
	DHS II (1995-96)	*DHS III (2000-01)*
Bamako	3.1	5.2
Other cities	1	2.8
All urban areas	1.9	3.9
Rural areas	0.3	0.8

Comparing the results of the two surveys shows how the rate of participation by physicians in attending births increased between the time of DHS II and the time of DHS III.

Table 16
Rate of utilization of methods of contraception

	Contraceptive use	
Place of residence	*DHS II (1995-96)*	*DHS III (2000-01)*
Bamako	23.4	23.5
Other cities	11.2	12.7
All urban areas	16.2	17.8
Rural areas	3.3	4.9

Table 16 shows that there was a slight increase in contraceptive use between the time of DHS II and the time of DHS III.

Table 17
Excision rates

	Percentage distribution of women who have undergone excision, as identified in the DHS II and DHS III surveys, on the basis of certain socio-demographic characteristics	
Place of residence	*DHS II (1995-96)*	*DHS III (2000-01)*
Bamako	95.3	92.8
Other cities	85.5	85.5
All urban areas	89.8	89.5
Rural areas	95.6	92.5

Table 17 shows that there was a very slight decline in excision rates between the time of DHS II and the time of DHS III.

Table 18
Prevalence of diarrhoea among children

	Percentage distribution of children under five years of age who have had diarrhoea during the two-week period prior to the survey, as identified in the DHS II and DHS III surveys, on the basis of certain socio-demographic characteristics	
Place of residence	*DHS II (1995-96)*	*DHS III (2000-01)*
Bamako	17.4	13.8
Other cities	20.4	12.5
All urban areas	19.2	13.1
Rural areas	27.6	20.3

Women living in rural areas are characterized by a lack of information, education and communications, and illiteracy is the principal reason. Assistance in regard to health is not always properly adapted to this environment.

(c) Rural women and social security programmes

Rural women do not receive any sort of social benefits, and they do not enjoy any kind of social protection. With their time wholly taken up with chores outdoors and around the household, come they have little free time for rest or recreation. The government and women's rights associations distribute goods from time to time in rural areas to help lighten women's workload, but there are so many rural communities and villages that these efforts of spread very thinly.

(d) Information and training for rural women

Among women living in rural areas, the illiteracy rate runs as high as 95 per cent. Given that education is a human being's most important need after food and freedom, should there be any need to stress how important education is for women's future?

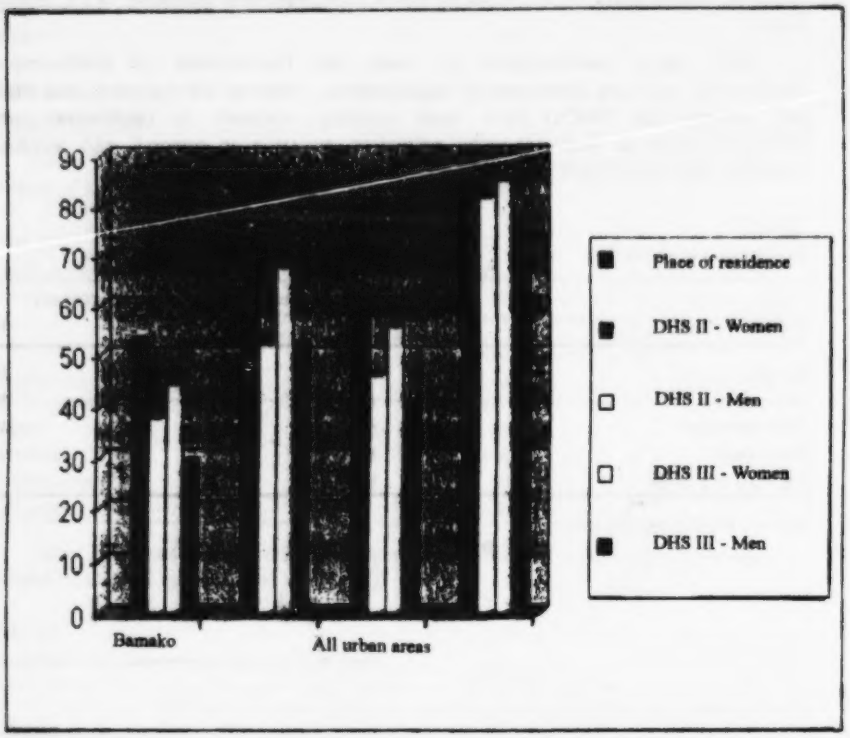
With these considerations in mind, the Government of Mali and its development partners (international organizations, bilateral aid agencies, and Malian and international NGOs) have been working tirelessly to implement certain strategies aimed at improving the education situation in general, and increasing women's literacy and girls' schooling in particular.

Table 19
Illiteracy rates, by sex

Place of residence	*DHS II (1995-96)*		*DHS III (2000-01)*	
	Women	*Men*	*Women*	*Men*
Bamako	53.1	37.6	44.4	29.3
Other cities	66.3	52.4	67.8	52.2
All urban areas	60.7	46.3	55.7	40.4
Rural areas	89.8	81.6	85.1	76
For Mali as a whole	80.9	70.7	77	66

Source : DHS II and DHS III.

Figure 1
Distribution of illiteracy rates, by sex and place of residence, as determined in the DHS II and DHS III surveys



Source : DHS II and DHS III.

The same trend over time is evident regardless of a person's place of residence, with the exception of cities other than Bamako, where the proportion of illiterate women increased slightly (from 66.3 per cent in DHS II to 67.8 per cent in DHS III).

For the school year 1996-97, the enrolment rate was 46.7 per cent nationwide – 57.9 per cent for boys and 36 per cent for girls. In rural areas, the enrolment rate was only 14 per cent, and again there was a large gap between boys and girls. As a result of the various actions undertaken, there has been a significant increase in the enrolment rate for girls in rural areas. There has also been an increase in the overall promotion rate for girls (taking all categories as a whole), from 65 per cent in 1991-92 to 75 per cent in 1996-97; meanwhile, the drop-out rate fell from 23.9 per cent in 1986-87 to 4.2 per cent in 1996-97.

The lack of further educational opportunities for girls remains one of the main limiting factors, although the programmes offered by the Centres for Education in Support of Development (CEDs) are helping to fill this gap. Apart from such

traditional work as nurse-matrons or association administrators, the job opportunities available to women in the villages are very limited.

As well, it is common for a girl to drop out of school if she is married at a very young age. This is a major problem.

So far as the literacy of rural women is concerned, it was found in the campaigns of 1995 and 1996 that the literacy rate was 11 per cent for women nationwide. The literacy rate for women in rural areas was much lower despite all the work that had been done to improve it. The prevalence of such a low literacy rate can be explained by a number of limiting and often complex factors, in particular:

- The fact that the course curriculum is not specifically tailored to women's needs;
- The excessive workload of women in rural areas;
- Socio-cultural constraints (husbands' refusal to allow their wives to attend classes, social division of labour, etc.);
- A lack of teaching materials and women's inability to afford them;
- The fact that women are not free to take classes as a result of having a large number of closely-spaced pregnancies.

(e) Women in rural areas and forms of organization

The Rural Development Master Plan proposes a number of strategies for assisting women in rural areas. The cooperative movement and other sorts of groupings are highly developed and are encouraged by the government.

Generally speaking, there are two kinds of women's organizations: traditional and formal. The traditional sorts of organization represent the survival of a communitarian organizational structure handed down from past generations, while the formal sorts of organization are part of the overall system of associations and cooperatives. Rural women, because they are illiterate, have difficulty adapting to the rigid legal framework that governs the establishment, structure and functioning of these formal organizations.

The various formal women's organizations that exist in rural areas comprise groups, associations, cooperatives and even economic interest groups (GIEs). All of these organizations are found in all parts of the country.

(f) Participation by rural women in community activities

In regard to participation by rural women in community life, all the women elected as mayors nationwide (five women, compared with 677 men) are mayors of rural communes. It should also be noted that most of the women serving as commune councillors are in rural communes.

(g) Rural women and access to factors and means of production (land, credit, equipment, etc.)

According to a study of women's access to land that was conducted in 2000 by the Ministry for the Advancement of Women, Children and Families (MPFEF) as part of the implementation of the Programme to support the Advancement of Women (Programme MLI 009201), contrary to what is commonly believed,

women's access to land is exercised on a non-discriminatory basis with respect to government property resources, both natural and artificial.

In modern law, so far as natural property resources are concerned, men and women are recognized as having the same property rights without discrimination. Women can have access to land, and can assume ownership of land by obtaining title.

There are many projects and programmes that seek to further the advancement of rural women, inter alia: the Malian Textile Development Company (CMDT), the Niger Authority, the Upper Niger Valley Authority, the Ségou Rice Project, the Sélingué Rural Development Authority, the Baguineda Irrigation Authority, the Mopti Rice Project, the Western Sahel Livestock Development Project, the Northeast Mali Project, the Comprehensive Development Programme for the Land below the Manantali Dam, the Programme to support the Agricultural Sector and Rural Organizations, the National Rural Infrastructure Programme, and the Rural Economic Development Institute.

Under the legal instruments governing land management in connection with these rural development projects (ODRs), women are permitted to have access to the land in question. The rights of the people occupying the land are guaranteed under documents issued by the government.

However, a number of tangible obstacles remain – notably the problem of obtaining credit and thus obtaining equipment – which prevent people from making use of these rights.

In many agricultural areas, women use the equipment that belongs to the family farm. In these cases, there are scheduling conflicts if several people need to make use of the equipment at the same time. In the areas covered by specific projects, an effort is made to ensure that credit is available for obtaining equipment, but this is something that has to be done on a continuing basis and on a wide scale.

In customary law, access by rural women to land and to the factors and means of production is restricted by usage and custom from region to region. Customary practices allow women to occupy only land that is marginal, of poor quality and unlikely to be productive.

(h) Improvement of living standards

To assist rural women in accomplishing the various tasks for which they are responsible, the government and its development partners (multilateral organizations, bilateral aid agencies, national and international NGOs, various associations, etc.) have launched strategies to help women by providing them with equipment and training that will be useful in their day-to-day activities. The overall objective of this policy is to lighten the burden of household chores (grinding meal, removing husks and shells, threshing, extraction of shea butter, etc.).

As a result, some efforts have centred on providing rural women with the equipment they need in order to carry out various activities, in particular:

- Agricultural production and market produce (ploughs, handcarts, harrows, wheelbarrows, shovels, traditional hand-hoes, watering cans, pickaxes, wire mesh);

Storage and processing of food products (grinding wheels, multi-use platforms, shea butter presses, sun-drying racks);

- Water-raising (hydraulic pumps, motorized pumps);
- Rural women's welfare (solar panels, solar hot-water heaters for rural child care centres, improved wood stoves and ovens).

Depending on each participating agency's means and policies, these items of equipment have been provided either as direct grants, or as interest-free or interest-bearing loans repayable within a period of one to five years.

Women and natural-resource management

The Government of Mali and its development partners have worked to increase women's awareness regarding environmental protection. Activities are being carried out to strengthen the role of women in promoting new and renewable energy sources, through the organization of training workshops. These activities have helped to expand women's role in the environmental sector.

From 1996 to 1999, 25 900 women attended IEC sessions and 87 women were trained in techniques for building improved wood stoves.

In rural areas, women are becoming increasingly involved in keeping watch for illegal forestry activities in those forests that have been placed under village management. In those areas covered by the Natural Resource Management Project (PGRN), women sit on the natural resource management committee of their local village. They participate in reforestation work, and are active in safeguarding, protecting, and rehabilitating watercourses and soils.

Article 15
Equality of men and women before the law and in civil matters

1. The Constitution enshrines the principle of equality of men and women before the law.

However, this principle as laid down in the Constitution, to the effect that all citizens are equal, is subject to certain inconsistencies in regard to property. Order 02-027/P-RM of 22 March 2000, establishing the Property Code, provides as follows: "Collective or individual customary rights may only be transferred to, or modified for the benefit of, groups or individuals permitted to possess those rights according to customary rules, and only subject to the conditions and limitations established thereunder."

This provision recognizes custom as grounds for giving access to property. In fact, women's access to land is subject to limitations based on custom and usage, and few women succeed in overcoming customary rules in order to claim property rights.

2. So far as access to justice is concerned, there is no discrimination between men and women.

3. Article 36 of the Marriage and Guardianship Code provides as follows: "A married woman shall possess full civil capacity; the exercise of that capacity shall be limited only by the marriage contract and by the law." Article 38 states: "A woman may not have a business without her husband's permission."

However, articles 4 and 5 of the Commercial Code (Law 92-002 of 27 August 2002) state. "Any natural or legal person who engages in trading activity as a routine occupation shall be recognized as a trader;" and "No one may engage in trading activity as a routine occupation without having the legal capacity to do so. An unemancipated minor may not have the status of a trader. The spouse of a trader shall not have the status of a trader unless such spouse engages in trading activity separately and as a routine occupation ... ."

Reading these passages from the Marriage and Guardianship Code (CMT) and the Commercial Code together, it is plain that the intent of the legislators was to free women of any impediment to their exercise of commercial occupations.

So far as legal proceedings are concerned, women face problems in regard to legal costs, which are very high in comparison with the average person's means and constitute an obstacle that prevents women, as the poorest of the poor, from obtaining justice. Women must also deal with the problems of lack of information and lack of assistance.

The establishment of legal aid services and a legal assistance fund for women will help to overcome these problems that face women in regard to legal proceedings.

4. Article 5 of Mali's Constitution recognizes the freedom of all citizens to come and go and their free choice of residence.

Because it is a woman's duty to obey her husband, and because it is the husband's responsibility as head of the family to decide where the family will live, some women are limited in their ability to exercise this freedom to come and go.

The proposed Family Law Reform removes these restrictions on women's freedom, and eliminates the notion that it is a woman's duty to obey her husband.

Article 16
Equality in marriage and in matters of family law

1.

(a) The same right to enter into marriage

Article 4 of the Marriage and Guardianship Code provides that a man may not enter into marriage until he has reached the full age of 18 years, and that a woman may not do so until she has reached the full age of 15 years.

Thus, the law provides unequal treatment of men and women in so far as age at first marriage is concerned.

Article 5 of the Marriage and Guardianship Code and article 132 of the Civil Registry Act provide that any Civil Registry official who celebrates a marriage

between persons who have not attained the required age will be punished by imprisonment.

In practice, customary or religious marriages are celebrated outside the Civil Registry system. Such marriages are not recognized by the government.

The proposed Family Code fixes 18 years as the minimum age at first marriage required for both the man and the woman.

(b) Article 10 of the Marriage and Guardianship Code states that a marriage is not valid unless it is entered into with the free consent of the spouses.

Such consent must be expressed by each spouse, aloud and in person before the Civil Registry official.

In practice, marriages do take place that have been arranged by families without the free consent of the persons to be married (for instance, an exchange of women between families or communities to strengthen relations between them).

Article 15 of the Marriage and Guardianship Code and article 133 of the Civil Registry Act provide that any Civil Registry official who celebrates a marriage without confirming that both spouses are entering into the marriage with their free and full consent will be punished by imprisonment and/or a fine. Article 26 of the Marriage and Guardianship Code provides that any marriage entered into without the free consent of both spouses may be subject to a petition for annulment by the spouse whose free consent was not given.

(c) The Marriage and Guardianship Code establishes that the spouses will be unequal within the marriage in that the husband is declared to be head of the family, with the result that he is chiefly responsible for supporting the family, the decision as to where the family will live falls to him, the wife is obliged to live with him, and he is expected to receive her.

The husband ceases to be head of the family in the event of his prolonged, unjustified absence, his being banned, his being unable to express his will, legal separation, or his being convicted of a criminal offence (article 40 of the Marriage Code).

In the draft Family Code, the husband is still head of the family, but his decision as to where the family will live must be made in the family's interests, and that decision may be submitted to a judge for review.

The principle of polygamy established in the Marriage and Guardianship Code allows a husband to marry up to four wives. This is a source of inequality between men and women.

The Marriage and Guardianship Code allows the possibility of a monogamous marriage being converted into a polygamous marriage with the wife's consent. In practice, it is common for the wife's consent to such a conversion to be obtained through abuse, threats and intimidation.

When a marriage breaks down, both the husband and the wife have the same rights to initiate proceedings and request a divorce. In practice, however, in rural areas social pressures and the community's ways of settling marital differences undermine this notion of equality in that women find it difficult to initiate proceedings against their husbands.

Under articles 232 and 234 of the Penal Code, the abandonment by a wife of her family, the abandonment by a husband of the family home, and repudiation are prohibited, and penalties are established for those offences. In practice, women do not make use of their right to have their husbands prosecuted for abandonment of the family home owing to social pressures.

However, if a marriage is dissolved, there are provisions that discriminate against women. Under article 81, paragraph 2, of the Marriage and Guardianship Code, the husband is entitled, in the event of divorce, to seek restitution of the benefits given to his wife.

Similarly, article 82 of the Marriage and Guardianship Code establishes that any maintenance support awarded to the ex-wife may be terminated on grounds of immoral behaviour. Given that the purpose of maintenance support is to ensure that the ex-wife's basic needs are met, this should not be turned into a restriction on her freedom, particularly since her duty to be faithful to her husband should cease to exist upon divorce.

Article 3, paragraph 1, of the Marriage and Guardianship Code reads as follows: "In the case of a divorce in which the wife is found to be at fault, the husband may demand restitution of the dowry and other gifts."

Article 63 of the Marriage and Guardianship Code provides as follows: "The wife shall be required to justify her residence in the house in question upon demand. In the absence of such justification, the husband may refuse to provide support and, if the wife is the petitioner in a suit for divorce, may have her declared ineligible to proceed with the suit."

The proposed Family Code eliminates all the discriminatory provisions enumerated above.

(d) During the marriage, the patria potestas lies with both the father and mother, but it is the father who exercises it in his capacity as head of the family (article 86 of the Parental Relations Code).

With regard to the custody of children in the event of divorce, there is no discrimination: the interests of the children are decisive in the matter (article 86 of the Marriage and Guardianship Code).

With regard to guardianship, articles 103 and 141 of the Marriage and Guardianship Code establish limits on the exercise of guardianship by a surviving mother. Article 103, paragraph 2, provides as follows: "A father may name a special board of trustees to guide the surviving mother and guardian, without whose opinion she may not carry out any legal act pertaining to the guardianship." Article 141 establishes: "A decision by a board of trustees to remove the guardianship of her children from a woman who has remarried, or to name some other guardian, shall not be subject to appeal before the courts."

The draft Family Code replaces the notion of patria potestas with that of parental authority, and eliminates all limitations on the exercise of parental authority by a surviving mother.

As well, the draft Family Code gives the mother the full right to exercise guardianship, and establishes that all decisions by a board of trustees are subject to

appeal, thereby guaranteeing the principle of equality and protecting the interests and the rights of the children.

(e) Law 44 of 24 June 2002, concerning reproductive health, provides that "men and women enjoy equal rights and dignity in regard to reproductive health". The law establishes the principle that every individual may lead a sex life that is responsible, satisfying and risk-free. Partners in a conjugal relationship and individuals have the right to decide freely how many children they will have and the spacing between them according to their own best judgement, and to have access to the necessary information for that purpose.

Regardless of their marital status, women are subject to social pressures in the exercise of their rights. Among these social pressures, the following may be cited:

- Religious beliefs;
- Illiteracy;
- The duty to obey her husband;
- Extreme poverty;
- Lack of understanding with regard to her rights;
- Lack of access to family-life education and information;
- Lack of appropriate goods and services.

(f) The Parental Relations Code establishes two kinds of adoption:

- Adoption for the purpose of providing for the child's needs;
- Adoption which creates the bonds of filiation.

Anyone may "adopt one or more children, whether for the purpose of supporting them, bringing them up, and providing them with such material and moral protection as they may require, or for the purpose of having descendants" (article 56 of the Parental Relations Code).

In regard to international adoption, Mali has ratified the 1993 Hague Convention (No. 5) and given responsibility to the National Directorate for the Advancement of Children and Families as the central authority charged with overseeing proceedings handled by Malian agencies and following up on adopted children living abroad.

Problems have arisen in two areas in regard to international adoption: (1) the difficulty in following up on Malian children who have left the country to live abroad; and (2) the practice in adoptive parents' home countries whereby an adoption authorized in Mali for the purpose of providing for the child's needs is converted into an adoption which creates the bonds of filiation, in contravention of Malian law.

(g) A husband and a wife have the same right to choose a profession or an occupation. However, the Marriage and Guardianship Code provides that a wife cannot engage in commercial activity without her husband's authorization.

So far as the family name is concerned, article 23 of the Parental Relations Code gives a wife the right to use her husband's name without giving up her own.

(h) There is no legal discrimination between men and women in respect of the ownership, acquisition, management, administration, enjoyment or disposition of property. In practice, however, it must be recognized that two different sets of circumstances exist:

- In rural areas, except for those areas where plantings are managed by the government, it is difficult for women to have access to full ownership of land, and they are only barely able to have access to using it. Only on the Bewani managed plain is there absolute respect for the equality of men and women in regard to access to the land.

- In urban areas, a woman's desire to purchase or own her own house may give rise to family conflict.

In regard to inheritance, the law provides that a deceased's estate will be divided according to the custom of the parties. Thus, an inheritance may be settled according to Islamic law, customary law or the Civil Code. In the first two cases, there is discrimination against women: under Islamic law, a woman's share of the estate is usually smaller than a man's, while in some ethnic groups customary law considers the widow to be part of a dead man's estate.

2. The law does not establish any specific regulations governing betrothal, but does recognize betrothal as producing certain legal effects:

- When an engagement is broken off at the woman's request, the law establishes that compensation must be given for damages.

- A girl who has been engaged to one man may not be engaged to another man until after the first engagement has been broken off. Criminal penalties are established for breach of this requirement.

- If an engagement is broken off, the man to whom the girl was originally engaged may challenge her subsequent marriage until he receives the expenses and damages owed to him, plus any interest that may apply.

Inasmuch as the law makes no provision regarding the breaking off of an engagement at the woman's request, the law creates an inequality between men and women.

The Marriage and Guardianship Code requires that women be at least 15 years old when they marry and that men be at least 18 years old. The minimum age for women is low vis-à-vis the provisions of the Convention.

Within certain ethnic groups, the marriage of children is commonplace, and marriages of children under 15 years of age may even be celebrated. The Marriage and Guardianship Code and the Civil Registry Act require that every marriage entered into at a Civil Registry office must be recorded in the Civil Registry records maintained for that purpose.

However, many marriages are celebrated in ignorance of the Civil Registry system, according to customary and religious practice. The law does not recognize such marriages as having any legal validity, inasmuch as article 29 of the Marriage and Guardianship Code establishes as follows: "No person may claim to be married or to be entitled to enjoy the civil effects of marriage unless that person presents a

certificate showing that a marriage has been celebrated and entered in the Civil Registry records."

The draft Family Code fixes a minimum age of 18 years at first marriage for both men and women.

Family structure in Mali

In Mali, half of all women are living in a conjugal relationship by the time they are 16.5 years of age. For Malian men, however, it is not until they are 26 years of age that this is so.

The following data are taken from the findings of the Demographic and Health Survey conducted in 2002 (DHS III):

Mean family size	5.3 persons
Percentage of families with nine or more members	15 per cent
Percentage of families headed by a woman	11 per cent
Percentage of families headed by a man	89 per cent
Percentage of women living in a conjugal relationship	83.5 per cent
Percentage of women who are single	13.5 per cent
Percentage of women who are divorced or separated	1.8 per cent
Percentage of women who are widows	1.3 per cent
Percentage of women living in polygamous relationships	42 per cent
Percentage of polygamous men	27 per cent

Looking ahead

The family law reform process in Mali

Since October 1998, the Government of Mali – through the Ministry for the Advancement of Women, Children and Families, and in collaboration with civil society and especially the Coordinating Body for Women's Associations and NGOs – has been moving ahead with a process to reform family law.

This family law reform process has been designed to be genuinely participatory, and the support and cooperation of all segments of Malian society have been enlisted in order to produce a document that is based on the widest possible consensus, all with a view to taking fully into account the rights of all Malian citizens.

The draft Family Code contains innovative features, and updates and supplements existing national legislation in all the areas it covers.

It deals with all matters relating to individuals, marriage, matrimonial regimes, filiation, parental relations and relations by marriage, protection for disabled persons, inheritance, gifts between living persons and wills, rules for the settlement of legal disputes in regard to personal status, principles for implementation of the code and legal disputes over time.

The draft Family Code has been finalized and is waiting to be enacted.

PART III

Conclusion

The issues involved in advancing the rights of women in Mali are a matter of timely concern, and apply to all sustainable development policies in every sector.

Since 1991, when Mali made the transition to democracy in its public institutions, there has clearly been a political will to strengthen the rights of women, as evidenced by the large number of measures undertaken at different levels by government departments and agencies and in various sector development programmes.

However, despite the progress that has been made, socio-cultural and socio-economic constraints that prevent women from exercising all their rights continue to exist. What has been achieved needs to be consolidated, and a new way forward has to be found.

In adopting the document Policies and Action Plans concerned with the Advancement of Women (2002 to 2006), the government is endeavouring to remove the obstacles that still exist by taking additional measures to enhance the status of women and improve women's living conditions in Mali.

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